

Zoning Ordinance

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SECTION 1.0 INTRODUCTION

1.01 AUTHORITY

These regulations are adopted pursuant to Section 61.35 and 62.23 of the Wisconsin Statutes. Therefore, the Village Board of Spring Green, Wisconsin, does ordain as follows:

1.02 PURPOSE

The purpose of this Ordinance is to promote the health, safety, morals, and general welfare of this community.

1.03 INTENT

It is the general intent of this Ordinance to regulate and restrict the use of all structures, lands, and waters; regulate and restrict lot coverage, population distribution and density, and the size and location of all structures so as to: lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic, and other dangers; provide adequate light, air, sanitation, and drainage; facilitate the adequate provision of public facilities and utilities; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; and implement the community's master plan or plan components. It is further intended to provide for the administration and enforcement of this Ordinance and to provide penalties for its violation.

1.04 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to laws. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1.05 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

1.06 SEVERABILITY

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.07 REPEAL

The Village of Spring Green Zoning Ordinance adopted August 13, 1980, June 7, 2000 and February 28, 2001 and as amended is repealed.

1.08 TITLE

This Ordinance shall be known as, referred to, or cited as the "ZONING ORDINANCE, VILLAGE OF SPRING GREEN, WISCONSIN."

1.09 EFFECTIVE DATE

This Ordinance shall be effective after a public hearing, adoption by the Village Board of Trustees and publication. Publication of this ordinance shall be in the form of a Code of Ordinances pursuant to Section 66.035 of the Wisconsin Statutes.

Date of Publication: August 8, 2001.

Effective Date: August 9, 2001.

SECTION 2.0 GENERAL PROVISIONS

2.01 JURISDICTION

The jurisdiction of this Ordinance shall include all lands and waters within the corporate limits of the Village of Spring Green. The jurisdiction of this Ordinance shall also extend to the extraterritorial area which are those lands and waters lying within the unincorporated areas within one and one half (1.5) miles of the corporate limits that are approved by a majority of the members of the appropriate Joint Extraterritorial Zoning Committee pursuant to Section 62.23 (7a) of the Wisconsin Statutes, and as indicated on the Official Zoning Map for the Extraterritorial area.

2.02 VILLAGE PLAN COMMISSION DESIGNATED

A Village Plan Commission is hereby created to carry out the intent of the Village of Spring Green Master Plan and Zoning Ordinance. The makeup of the Commission and its powers and duties shall be prescribed by Chapter 62.23 of the Wisconsin Statutes.

2.03 ZONING ADMINISTRATOR DESIGNATED

The Office of Zoning Administrator is hereby created as the administrative officer for the provisions of this Ordinance. The duty of the Zoning Administrator shall be to interpret and administer this Ordinance and to issue, after on-site inspection, all permits required by this Ordinance. Enforcement of this Ordinance shall take place under the direction of the Plan Commission.

The Zoning Administrator shall investigate all complaints, give notice of violations, issue orders to comply with the zoning ordinance as directed by the Plan Commission, and assist the village attorney in the prosecution of ordinance violators. The Zoning Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection.

2.04 COMPLIANCE

No structure, land, or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, demolished or structurally altered except in conformity with the regulations herein specified for the district in which it is located.

2.05 ZONING PERMITS

Zoning Permits shall be required for all new structures, exterior renovation, demolition, placement of signs, changes in land use, and zoning districts unless specifically excepted by this Ordinance. Applications for zoning permits shall be made to the Zoning Administrator and shall include the following where appropriate:

Name and Addresses of the applicant, owner of the site, architect, professional

engineer, or contractor.

Description of the Subject Site by lot, block, and recorded sub-division or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

Site Plan showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side, and rear yards. In addition, the site plan shall show the location, elevation, and use of any abutting lands and their structures within forty (40) feet of the subject site.

In the Extraterritorial Area where municipal sewerage service is not available, the applicant for a zoning permit shall submit evidence that a county sanitary permit has been issued for any structural development that entails installation of a private sewage system.

Additional Information as may be required by the Village Plan Commission or Village Zoning Administrator.

A Zoning Permit shall be granted, denied or referred in writing by the Zoning Administrator within forty five (45) days. The permit shall expire within twelve (12) months unless substantial work has commenced and any zoning change that preceded the issuance of said permit shall be null and void and the zoning applicable to the parcel shall revert to what it was prior to such change. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

A zoning permit approved by the Village Zoning Administrator shall be required prior to issuance of a building permit in the Village and Extraterritorial Area. Due to the adverse impact of the 2008 flood, zoning permits within the Extraterritorial Area shall be subject to Town of Spring Green approval as necessary for compliance with Town of Spring Green Ordinance 2610 enacted on April 1, 2010 or its successor. If Ordinance 2610 expires without a successor, the Joint Extraterritorial Zoning Committee shall review all zoning permit applications for new residential or business structures and/or additions to these structures.

2.06 FLOODPLAIN AND SHORELAND AREAS IN THE EXTRATERRITORIAL AREAS

Will be jointly administered by Sauk County. In addition to the requirements of this Ordinance zoning approvals must be granted by the Sauk County Zoning Administrator prior to allowing any development or land altering activities within areas designated as floodplain or shoreland by Sauk County.

2.07 USES NOT REQUIRING A ZONING PERMIT Providing all applicable setback, yard, height and other requirements are met, no Zoning Permit shall be required in any of the following instances: 1) For erecting or placing an accessory structure less than 100 square feet in area. 2) For normal maintenance and repairs not involving an increase in the area of a structure. 3) For use changes where the new use is a permitted use in the zoning district, provided it does not involve an increase in the area of the existing structure or structures. 4) For the removal or installation of a mobile home on an existing lot in a mobile home park.

2.08 SITE RESTRICTIONS

No land shall be used or structure erected where the land is found unsuitable for such use or structure by the Village Plan Commission by reason of flooding, concentrated runoff, drainage, soil or rock formation, topography, percolation rate or bearing strength, erosion susceptibility, or any other feature found to be harmful to the health, safety, prosperity, aesthetics, and general welfare of this community. The Village Plan Commission, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability. Thereafter the Village Plan Commission may affirm, modify, or withdraw its determination of unsuitability.

Setback requirements may be reduced for any use. Reduced setback shall be a conditional use.

Yard requirements may be reduced for any use. Reduced yards shall be a conditional use.

Except as otherwise provided, all lots shall abut a public street, and each village lot shall have a minimum street frontage of thirty (30) feet, and, in the extraterritorial area sixty-six (66) feet if unsewered, forty (40) feet if sewer, or thirty (30) feet if located on a cul-de-sac. The area of a lot on a public street or road in the extraterritorial area shall not be included when calculating minimum lot area and width or minimum yards.

All Principal Structures shall be located on a lot; and only one principal structure shall be located, erected, or moved onto a lot unless located in the B-7 District, M-1 District or S-1 District.

No Zoning Permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

2.09 USE RESTRICTIONS

The following use restrictions and regulations shall apply:

Principal Uses. Only those principal uses specified for a district, their essential services, and the following uses shall be permitted in that district. Any uses not specifically permitted are prohibited.

Accessory Uses and structures are permitted in any district but not until their principal structure is present or under construction unless the Village Plan

Commission shall determine that the circumstances that exist are consistent with the intent of the ordinance and that the accessory use or structure should thus be allowed.

Any proposed accessory use or structure that is not incidental to an existing principal structure or a principal structure under construction shall be a conditional use requiring review, public hearing, and approval by the Village Plan Commission in accordance with Section 4.0. In addition, where a proposed accessory use or structure is not incidental to an existing principal structure or a principal structure under construction, written notice of the hearing provided by Section 4.03 shall be mailed to all property owners within 300 feet of the parcel on which the accessory use or structure is to be located at least 14-days prior to the hearing.

Residential accessory uses shall not involve the conduct of business, trade, or industry. Accessory uses include incidental repairs; storage; parking facilities; gardening; owner's quarters not for rent; servant's, itinerant agricultural laborers and watchman quarters not for rent and located in the Village and connected to public sewer; private swimming pools; private emergency shelters, and additional manufacturing facilities in M-1.

Conditional Uses and their accessory uses are considered as special uses requiring review, public hearing, and approval by the Village Plan Commission in accordance with Section 4.0. Any uses not specified as a conditional use are prohibited.

Temporary Uses, such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Village Plan Commission.

2.10 REDUCTION OR JOINT USE

No lot, yard, parking area, building area, or other space shall be reduced in area or dimension so as not to meet the provisions of this Ordinance. No part of any lot, yard, parking area, or other space required for structure or use shall be used for any other structure or use.

2.11 VIOLATIONS

It shall be unlawful to construct or use any structure, land, or water in violation of any of the provisions of this Ordinance. In case of any violation, the Board of Trustees, the Zoning Administrator, the Village Plan Commission, the Joint Extraterritorial Zoning Committee, or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Ordinance.

2.12 PENALTIES

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than Fifty Dollars (\$50) nor more than Four Hundred Dollars (\$400) and costs of prosecution for each

violation. Each day a violation exists or continues shall constitute a separate offense.

2.13 FEES ESTABLISHED BY VILLAGE BOARD RESOLUTION

A petitioner under the Zoning Ordinance of the Village of Spring Green shall pay to the Village the fees with respect to the petition as from time to time adopted by the resolution of the Village Board. A copy of the resolution shall be available to any person at the village offices.

SECTION 3.0 ZONING DISTRICTS

3.01 ESTABLISHMENT

For the purpose of this Ordinance the Village of Spring Green is hereby divided into the following twenty five (26) use districts. In addition, one (1) overlay district is also established.

- R-1 Village Small Lot Residential District
- R-2 Village Large Lot Residential District
- R-3 Village Multiple-Family Residential District
- R-4 Extraterritorial New Single Family Residential Subdivision District
- R-5 Extraterritorial Existing Single Family Residential Subdivision District
- R-6 Extraterritorial New Two Family Residential Subdivision District
- R-7 Extraterritorial Existing Two Family Residential Subdivision District
- R-8 Extraterritorial Existing Multiple-Family Residential District
- R-9 Extraterritorial Existing Mobile Home Park District
- B-1 Village Retail Business District
- B-2 Village Retail Business District Outside the Downtown
- B-3 Village & Extraterritorial Highway Commercial District
- B-4 Village Wholesale and Service District
- B-5 Village Office and Business Park Commercial District
- B-6 Extraterritorial Wholesale and Service District
- B-7 Extraterritorial Existing Recreation District
- B-8 Village & Extraterritorial Highway Commercial District
- B-9 Village & Extraterritorial Recreational District
- M-1 Village Manufacturing District
- S-1 Village & Extraterritorial School Zoning District
- AP Village & Extraterritorial Agricultural Preservation District
- AT Village & Extraterritorial Agricultural Transition District
- ARN Extraterritorial New Agricultural Residential District
- ARE Extraterritorial Existing Agricultural Residential District
- PUD Village Planned Unit Development District
- ESR Extraterritorial Seasonal Recreational District
- DD Village Downtown Design District (Overlay)

Boundaries of These Districts are hereby established as shown on maps entitled “Zoning Map, Village of Spring Green, Wisconsin,” and a “Zoning Map, Extraterritorial, Village of Spring Green, Wisconsin,” which accompany and are part of this Ordinance. Such boundaries shall be construed to follow corporate limits; U.S. Public Land Survey lines; lot or property lines; centerlines of streets, highways, alleys, easements, and railroad rights-of-way or such lines extended; unless otherwise noted on the Zoning Map.

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

Annexations to or consolidations with the Village subsequent to the effective date of this Ordinance shall be placed in the AT Agricultural Transition

District unless the annexation ordinance temporarily places the land in another district.

3.02 ZONING MAP

A certified copy of the Zoning Maps shall be adopted and approved with the text as part of this Ordinance and shall bear upon its face the attestation of the Village Clerk and shall be available to the public in the office of the Village Clerk.

Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.

3.03 R-1 VILLAGE SMALL LOT RESIDENTIAL DISTRICT

The R-1 District is for the existing core residential development in the Village by providing for detached single and two family homes.

Permitted Uses: Single Family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses; home family day care.

Conditional Uses: Two family detached residences - including conversion of older homes; charitable or nonprofit institutions and facilities; nursing and group home facilities; funeral homes. Bed and Breakfast Establishments provided such establishments (1) meet all requirements and hold all licenses as provided by the Wisconsin Statutes and the Wisconsin Administrative Code and (2) comply with requirements of the Wisconsin Administrative Code applicable to Multiple Family Residences with respect to smoke alarms, fire extinguishers and fire escapes and (3) comply with all other applicable provisions of this zoning ordinance. Churches.

Photography studio, art studio and art gallery restricted to the Downtown Design District.

Minimum Lot Area and Width with public sewer 5,000 sq. ft. area and 50 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft., provided the required rear yard may be decreased to the average of the existing rear yards of abutting structures on each side. A conditional use may be granted for reduced setback or yard requirements as specified in Section 2.08.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. Accessory buildings, which are not a part of the principal building, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than three (3) feet to any lot line. Accessory buildings shall be no closer than eight (8) feet to a rear lot line abutting on a public alley.

3.03A R-2 VILLAGE LARGE LOT RESIDENTIAL DISTRICT

The R-2 District is for low-density development in the Village by providing for detached single-family homes in new subdivisions and where lower density lot sizes are desirable.

Permitted Uses: Single Family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses; home family day care; predevelopment agriculture.

Conditional Uses: Two Family detached residences. Assisted care facilities, with living units, lot size, lot width and parking requirements to be determined as part of the conditional use and specific to each site. Charitable or non-profit institutions and facilities; nursing and group home facilities; funeral homes. Bed and Breakfast Establishments provided such establishments (1) meet all requirements and hold all licenses as provided by the Wisconsin Statutes and the Wisconsin Administrative Code and (2) comply with requirements of the Wisconsin Administrative Code applicable to Multiple Family Residences with respect to smoke alarms, fire extinguishers and fire escapes and (3) comply with all other applicable provisions of this zoning ordinance. Churches.

Minimum Lot Area and Width with public sewer 8,000 square feet and 70 feet for single family detached residences; and 10,000 square feet and 80 feet for two family detached residences.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. Accessory buildings which are not a part of the principal building shall not occupy more than 30 percent of the area of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than three (3) feet to any lot line. Accessory buildings shall be no closer than eight (8) feet to a rear lot line abutting on a public alley.

3.03B R-3 VILLAGE MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The R-3 District is for apartment and condominium housing within the Village limits of Spring Green by providing for detached 3 - 16 family homes.

Minimum Lot: 12,000 square feet plus 2,500 square feet for each dwelling unit over 4 units.

Minimum Lot Width: 100 ft.

Off-Street Parking: 2 stalls per dwelling unit.

Permitted Uses: 3-16 family dwelling units per structure; horticulture uses; essential services; accessory buildings; predevelopment agriculture.

Conditional Uses: Bed and Breakfast establishments provided such establishments (1) meet all requirements and hold all licenses as provided by the Wisconsin Statutes and the Wisconsin Administrative Code and (2) comply with requirements of the Wisconsin Administrative Code applicable to Multiple Family Residences with respect to smoke alarms, fire extinguishers and fire escapes and (3) comply with all other applicable provisions of this zoning ordinances. Churches.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.

Maximum Building Height: 2 1/2 stories or 35 feet.

Required Open Space on Lot: 30%.

Placement of accessory buildings. Accessory buildings which are not a part of the principal building shall not occupy more than 30 percent of the area of the required

rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than three (3) feet to any lot line. Accessory buildings shall be no closer than eight (8) feet to a rear lot line abutting on a public alley.

3.04 R-4 EXTRATERRITORIAL NEW SINGLE FAMILY RESIDENTIAL
SUBDIVISION DISTRICT

The R-4 District is to provide for low density detached single family homes in new subdivisions, and in existing subdivisions where lot sizes are a minimum of 1 acre.

Permitted Uses: Single Family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses; home family day care.

Conditional Uses: None.

Minimum Lot Area and Width: 1 acre and 150 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 10,000 sq. ft.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 1200 sq. ft. of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than twenty (20) feet to any lot line.

3.04A R-5 EXTRATERRITORIAL EXISTING SINGLE FAMILY RESIDENTIAL
SUBDIVISION DISTRICT

The R-5 District is to provide for existing higher density detached single family homes in existing subdivisions where lot sizes are less than 1 acre. A certified survey map or deed on record must be on file prior to the effective date of this ordinance for a lot to be considered conforming. Adjustments to existing lot boundaries that do not create additional lots or change the overall area or exterior boundaries of a subdivision are allowed and are considered conforming as long as all district standards regarding lot size, street frontage and width are met. A certified survey map outlining the adjustments must be approved by the appropriate agencies before such adjustments take effect.

Permitted Uses: Existing single family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses; home family day care.

Conditional Uses: None.

Minimum Lot Area and Width with public sewer 8,000 sq. ft. and 70 ft. width; without public sewer 20,000 sq. ft. and 100 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft, provided the required rear yard may be decreased to the average of the existing rear yards of abutting structures on each side. If Section 6.05 of the zoning ordinance requires a greater setback than as provided herein, said Section 6.05 shall control.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 1200 sq. ft. of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, shall not be nearer than ten (10) feet to any side lot line, and shall not be nearer than twenty (20) feet to the rear lot line.

3.04B R-6 EXTRATERRITORIAL NEW TWO FAMILY RESIDENTIAL
SUBDIVISION DISTRICT

The R-6 District is to provide for low density two family homes in new subdivisions, and in existing subdivisions where lot sizes are a minimum of 1 acre.

Permitted Uses: Two Family detached residences; home occupations; horticultural uses; essential services; accessory buildings.

Conditional Uses: None.

Minimum Lot Area and Width: 1 acre and 150 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 10,000 sq. ft.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 1200 sq. ft. of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than twenty (20) feet to any lot line.

3.04C R-7 EXTRATERRITORIAL EXISTING TWO FAMILY RESIDENTIAL
SUBDIVISION DISTRICT

The R-7 District is to provide for existing higher density detached two family homes in existing subdivisions where lot sizes are less than 1 acre. A certified survey map or deed of record must be on file prior to the effective date of this ordinance for a lot to be considered conforming. Adjustments to existing lot boundaries that do not create additional lots or change the overall area or exterior boundaries of a subdivision are allowed and are considered conforming as long as all district standards regarding lot size, street frontage and width are met. A certified survey map outlining the adjustments must be approved by the appropriate agencies before such adjustments take effect.

Permitted Uses: Existing two family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses.

Conditional Uses: None.

Minimum Lot Area and Width with public sewer 8,000 sq. ft. and 70 ft. width; without public sewer 20,000 sq. ft. and 100 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 1200 sq. ft. of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than twenty (20) feet to any lot line.

3.04D R-8 EXTRATERRITORIAL EXISTING MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The R-8 Multiple-Family Residential District is to provide for existing higher density detached 3-4 family housing. A certified survey map or deed on record must be on file prior to the effective date of this ordinance for a lot to be considered as conforming.

Permitted Uses: Existing detached 3-4 family residences; horticultural uses; essential services; accessory buildings.

Conditional Uses: Previously permitted senior housing up to eight (8) units.

Minimum Lot Area and Width: 20,000 sq. ft. and 100 ft. width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 1600 sq. ft. of the required rear yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than twenty (20) feet to any lot line.

3.04E R-9 EXTRATERRITORIAL EXISTING MOBILE HOME PARK DISTRICT

The R-9 District is to provide for the existing mobile home park in the extraterritorial area, and to provide for mobile home park housing on lands contiguous to existing mobile home park housing. A certified survey map or deed on record must be on file prior to the effective date of this ordinance for a lot to be considered as conforming.

Permitted Uses: Existing detached single family mobile home residences; horticultural uses; central laundry building; essential services; accessory buildings.

Conditional Uses: None.

Minimum Lot Area and Width: 5,000 sq. ft. and 50 ft. width, with a paved or graveled mobile home parking space of 10 feet minimum width and 5 feet plus the length of the mobile home minimum depth.

Minimum Yards: Front 5 ft; Side 7.5 ft; Rear 35 ft.

Maximum Building Height: 1 story or 15 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 500 sq. ft. of the required rear or side

yard, shall not be more than fifteen (15) feet high nor more than one story, and shall not be nearer than seven and one half (7.5) feet to any lot line.

3.05 B-1 VILLAGE RETAIL BUSINESS DISTRICT

The purpose of this district is to encourage the grouping of compatible businesses that will aid in further developing the downtown area as a retail service center.

Permitted Uses:

antique shops	gift shops
appliance stores	hobby shops
art galleries	hospitality centers
art supply stores	insurance agencies
auto parts sales	jewelry stores
bakery	martial arts
banks and other financial institutions	movie rental
barber shops	newspaper offices
beauty parlors	optical stores
business offices	opticians
churches	paint and home interior hardware stores
clinics	parking facilities
clothing repair shops	photographic studios
clothing sales	print shops
dance studios	professional offices
day spa	residential dwelling on or above the second story
department stores	restaurants
drug stores	school supply stores
eating and drinking establishments	sporting goods stores
electronic sales and repairs	tanning salon
essential services	theater
fabric store	tourist information
fitness center	upholstery shops
flower shops	variety stores
food stores	
furniture stores	

Conditional Uses: Partial ground floor residential dwelling. U.S. Post Office in the Downtown Design District; government use, Microbrewery, Day Care Center, Parking lot, Special Trade Contractors. A detached garage for housing not more than two motor vehicles as a part of a single family residence existing prior to the effective date of this ordinance. Hotel. Charitable or non-profit institutions and facilities. Bed and Breakfast Establishments provided such establishments (1) meet all requirements and hold all licenses as provided by the Wisconsin Statutes and the Wisconsin Administrative Code and (2) comply with requirements of the Wisconsin Administrative Code applicable to Multiple Family Residences with respect to smoke alarms, fire extinguishers and fire escapes and (3) comply with all other applicable provisions of this zoning ordinance.

Minimum Lot Area and Width: 1,000 sq. ft. and 30 ft. width in the downtown design district; 8,000 sq. ft. and 70 ft. width outside the downtown design district.

Maximum Building Height: 3 stories or 40 feet.

Minimum Yards: There shall be no required yards within the area overlaid by the downtown design district; refer to Section 3.13. Areas outside the downtown design district, Principal building: front 5 ft.; side 10 ft.; rear 25 ft.

Accessory building; side 10 ft.; rear 10 ft.

3.05A B-2 VILLAGE RETAIL BUSINESS DISTRICT OUTSIDE THE DOWNTOWN

The purpose of this district is to encourage the grouping of compatible businesses that will aid in further developing retail services outside the downtown, but in the Village.

Permitted Uses:

antique shops	fitness centers
appliance stores	furniture stores
art studios and galleries	gift store
banks	government uses
barber shops	hobby shops
beauty parlors	hospitality centers
business offices	motor sales
cable television offices and facilities	paint and home interior stores
charitable or non-profit institutions and facilities	photographic studios and galleries
dance studios	professional offices
day spa	residential dwelling
essential services	on or above the second story
	special trade contractors
	sporting goods stores
	tanning salon
	tourist information

Conditional Uses: Partial ground floor residential dwelling. Parking lot. A detached garage for housing not more than two motor vehicles as a part of a single family residence existing prior to the effective date of this ordinance. Also,

auto repair and tire sales	gas stations with or without
food and liquor service	convenience stores
food store	laundromat
funeral home	restaurants
print shops	churches
public utility facilities	clinics

Minimum Lot Area and Width: 8,000 sq. ft. and 70 ft. width.

Maximum Building Height: 3 stories or 40 feet.

Minimum Yards: Front 25 ft. except for signs which shall be 5 ft.; side 10 ft.; rear 25 ft. Accessory building: side 10 ft.; rear 10 ft.

3.06 B-3 VILLAGE & EXTRATERRITORIAL HIGHWAY COMMERCIAL DISTRICT

The purpose of this district is to provide an area for businesses that have large land area requirements or that depend on highway exposure. It is intended that the uses permitted in this district will not detract from the vitality of the downtown business district.

Permitted Uses:

antique stores	internet service providers
barber shops	licensed catering
beauty parlors	licensed meat processing
dance studio	motels & lodging facilities
day spa	predevelopment agriculture
embroidery services	professional offices
essential services	restaurants & eating establishments
fitness centers	special trade contractors
fuel service stations	sporting goods stores
furniture stores	tanning salon
	tourism information centers
	wholesale trade

Conditional Uses:

bus barn	mini-golf
car wash	motor vehicle sales
charitable or non-profit institutions	motor vehicle repair and maintenance
churches	parking lots (as a principal use)
gas station (with or without convenience stores)	print shops
golf driving range	recreational equipment rental & sales
liquor stores	recreational vehicle park
	truck stops

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width.

Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft.

Accessory building: side 10 ft.; rear 10 ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 35%.

Outside Storage: No outside storage permitted.

3.06A B-4 VILLAGE WHOLESALE AND SERVICE DISTRICT

The purpose of this district is to provide an area for wholesale, heavy commercial and service businesses that have large land area requirements or that depend on highway access for exposure. It is intended that the uses permitted in this district will not detract from the potential of revitalizing the downtown business district.

Permitted Uses:

agricultural services	manufactured home dealers
art studio	mini-warehouse storage units
automotive repair services	miscellaneous repair services

boat dealers	motor freight transportation and
bowling alleys	warehousing
essential services	motor vehicle dealers
food processing & packaging	pool halls
garages	predevelopment agriculture
general building contractors	professional offices
general contractors - heavy construction	recreation and utility trailer
health clubs	dealers
indoor archery range	retail trade building materials
lawn and garden services	special trade contractors
lawn and garden supply	wholesale trade
lumber yard	

Conditional Uses: Day care center, eating and drinking establishments, entertainment venue, government uses, microbrewery, motels, parking lots, veterinary clinic.

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width.

Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft.

Accessory building: side 10 ft.; rear 10 ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 35%.

Outside Storage: Outside Storage must be screened from public view.

3.06B B-5 VILLAGE OFFICE AND BUSINESS PARK COMMERCIAL DISTRICT

The purpose of this district is to provide an area for offices, professional offices, clinics, and limited retail uses. It is intended that the uses permitted in this district will not detract from the potential of revitalizing the downtown business district.

Permitted Uses:

bowling alleys	office
clinics	pool halls
essential services	predevelopment agriculture
health clubs	professional office

Conditional Uses: Eating and drinking establishments; small animal hospital; charitable or non-profit institutions and facilities; parking lots.

Outside Uses: None

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width.

Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft.

Accessory building: side 10 ft.; rear 10 ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 50%.

3.06C B-6 EXTRATERRITORIAL WHOLESALE AND SERVICE DISTRICT

The purpose of this district is to provide an area for wholesale and heavy commercial uses that have large land area requirements and permit open storage.

Permitted Uses:

agricultural services	licensed catering
automotive repair services	miscellaneous repair services
county road facility	motor freight transportation and
essential services	warehousing
existing licensed meat cutting	pump sales and services
garages	special trade contractors
general building contractors	welding and repair services
general contractors-heavy construction	well drilling
government uses	wholesale trade

Conditional Uses: Automotive body repair, parking lot.

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width.

Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building 10 feet from other zoning districts.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 35%.

Outside Storage: Outside storage must be screened from public view where practical.

3.06D B-7 EXTRATERRITORIAL EXISTING RECREATION DISTRICT

The B-7 District is to provide for existing recreation uses in the extraterritorial area. A certified survey map or deed on record must be on file prior to the effective date of this ordinance for a lot to be considered as conforming.

Permitted Uses: Campgrounds; existing eating and drinking establishments; recreational equipment rental and sales; essential services; accessory buildings.

Conditional Uses: None.

Campgrounds shall be licensed by the Wisconsin Dept. of Health & Family Services and shall be obligated to follow the administrative rules of chapter HFS 178.

For all uses other than campgrounds the following minimums shall apply;

Minimum Lot Area and Width: with public sewer 8,000 sq. ft. and 50 ft. width; without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: 10 feet from other zoning districts.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 30%.

3.06E B-8 VILLAGE & EXTRATERRITORIAL HIGHWAY COMMERCIAL DISTRICT

The purpose of this district is to provide an area west of the USH 14/CTH G intersection for service businesses and specific retail businesses that have large land area requirements and that depend on highway or frontage road access or

exposure. It is intended that uses permitted in this district will not detract from the vitality of the downtown business district.

Permitted Uses:

agricultural implement dealers	motor freight transportation & scales
agricultural corporate offices	motor vehicle dealerships
auto parts sales	outlet stores for local industries
essential services	predevelopment agriculture
general building contractors	recreational equipment sales
heavy construction contractors	showrooms for contractors
industrial equipment repairs	special trade contractors
lawn & garden supplies & services	vehicle repair & maintenance
lumber yards & building material sales	warehousing & indoor storage

Conditional Uses:

eating and drinking establishments	professional offices
health clubs	truck washing facilities
motels	agricultural supplies
churches	

Minimum Lot Area: With public sewer 20,000 sq. ft. Without public sewer the provisions of Section 6.05 shall apply.

Minimum Lot Width: 100 feet.

Minimum Yards: Principal building: front 25 ft. from edge of public right-of-way; side 10 ft.; rear 25 ft. Accessory building: side 10 ft.; rear 10 ft.

Maximum Building Height: 40 feet or two stories.

Maximum Building Coverage: 35%.

Outside Storage: Must be screened from public view wherever practical.

3.06F B-9 VILLAGE & EXTRATERRITORIAL RECREATIONAL DISTRICT

The B-9 District is to provide for recreation uses in the village and extraterritorial area.

Permitted Uses:

Essential services
Food and beverage concessions in conjunction with allowed recreational uses

Conditional Uses:

Miniature golf course
Golf driving range
Baseball batting cages
Bicycle rental

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width. Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft. Accessory building: side 10 ft.; rear 10ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 35%

Outside Storage: No outside storage permitted.

3.07 M-1 VILLAGE MANUFACTURING DISTRICT

The purpose of this district is to provide appropriate areas within the Village limits for manufacturing and related activities that strengthen the Village's economic base and that are not incompatible with other land uses in the Village.

Permitted Uses: Manufacture, fabrication, packing, packaging, and assembly of products from glass, metals, paper, plaster, plastics, textiles, and wood. Manufacture, fabrication, processing, packaging and packing of confections, cosmetics, electrical appliances, electronic devices, food (except cabbage, fish, meat, poultry and pea vining), instruments, jewelry, pharmaceuticals, tobacco, and toiletries. Freight yards, freight terminals and transshipment depots, inside storage. Retail sales from a display area at the manufacturer's facility of the manufacturer's products, wireless communication towers, essential services, predevelopment agriculture.

Conditional Uses: Adult Entertainment Uses. Bulk storage of petroleum. Parking lot.

Minimum Lot Area and Width: 20,000 sq. ft. and 100 ft. width

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft.

Accessory building: side 10 ft.; rear 25 ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 50%.

Required Buffer Strips: Where the M-1 Manufacturing District abuts or adjoins a residential district, or is along a street line opposite a residential district, a buffer strip of not less than fifteen (15) feet shall be provided. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the Residential District shall be planted within the buffer strip.

3.08 AP VILLAGE & EXTRATERRITORIAL AGRICULTURAL PRESERVATION DISTRICT

The purpose of this district is to preserve those agricultural lands, woodlands and wetlands where it has been determined that their highest and best uses are in long term agriculture or wildlife habitat.

Permitted Uses: Beekeeping, dairying, essential services, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, grazing, greenhouses, viticulture, pad-docks, equestrian trails, nature trails, stables, forest and game management, live-stock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, and similar agricultural uses. Two single family dwelling units for resident owner/operators and their children and parents or laborers principally engaged in conducting a permitted or approved conditional use.

Conditional Uses: Mineral Extraction in the Extraterritorial area only.

Minimum Lot Area: 35 acres for basic farm unit. Additional farm related housing shall have a minimum lot area of 20,000 sq. ft. and a maximum lot area of 80,000 sq. ft. Agricultural related business uses shall have a minimum lot area of 1 acre.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Farm Buildings Side Yard Minimum 50 ft.

Rear Yard Minimum 50 ft.

Highway Yard Minimum - the provisions of Section 6.05 shall apply

Maximum Building Height: Two (2) times their distance from adjacent lot lines.

Pre-existing Residences in the Agricultural Preservation District prior to August 13, 1980 that do not conform to district standards may be continued in residential use and shall not be subject to any limitations imposed by Section 8.0 non-conforming uses.

Any Lot or Parcel of less than 35 acres that is recorded under separate ownership in the Office of the Register of Deeds prior to August 13, 1980 may be used as a single residential building site provided that it can comply with the standards of the R-2 Residential District.

Farm Related Structures Remaining After Farm Consolidation may be divided from the farm provided that it can comply with the provisions of the R-2 District in the Village, and the ARN District in the extraterritorial area.

Standards for Rezoning: Decisions on petitions for rezoning land from the

Agricultural Preservation District may be made at any time provided that all such petitions shall first be reviewed by the Master Plan Review Committee. Such review may occur during a comprehensive review of the master plan, or during the annual master plan review, or upon the special request of the Village Board. Upon completion of such review, the Master Plan Review Committee shall make its recommendation to the Joint Extraterritorial Zoning Committee which in turn shall make its recommendation to the Village Board. If land is rezoned from the AP Agricultural Preservation District the Department of Agriculture Trade and Consumer Protection shall be notified.

3.09 AT VILLAGE & EXTRATERRITORIAL AGRICULTURAL TRANSITION DISTRICT

The purpose of this district is to permit agricultural use of farmland that has been identified in the Village of Spring Green Master Plan as desirable for urban expansion within a 0-10 year period.

<u>Permitted Uses:</u>	(Standards are the same as those for the AP Agricultural Preservation District.)
<u>Conditional Uses:</u>	
<u>Lot Area:</u>	
<u>Minimum Yards:</u>	
<u>Maximum Building Heights:</u>	
<u>Other Use Standards</u>	

Standards for Rezoning: Decisions on petitions for rezoning land from the Agricultural Transition District shall be based on findings that consider the following:

Adequate public facilities to serve the development are present or will be provided.

The land is suitable for development.

The development is designed to minimize the potential for conflict with remaining agricultural uses in the area.

The development is consistent with the Village of Spring Green Master Plan.

3.09A ARN EXTRATERRITORIAL NEW AGRICULTURAL RESIDENTIAL DISTRICT

The ARN District is to provide for new low density detached single family homes and for existing detached single and two family homes, with a minimum lot size of four (4) acres.

Permitted Uses: Single Family detached residences; existing detached two family residences; home occupations; horticultural uses; essential services; accessory buildings; government uses; the keeping of livestock at no more than one (1) animal unit per acre of non-residential land.

Conditional Uses: Existing burial vault manufacturing, Commercial kennels, dog boarding, training and grooming facilities, Taxidermy Studios, Landscape Contractor.

Minimum Lot Area and Width: Four (4) acres and 150 ft width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule.

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 10,000 sq. ft.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 2500 sq. ft. of the required rear yard, shall not be more than twenty five (25) feet high nor more than two stories, and shall not be nearer than twenty (20) feet to any lot line.

3.09B ARE EXTRATERRITORIAL EXISTING AGRICULTURAL RESIDENTIAL DISTRICT

The ARE District is to provide for existing higher density detached single and two family homes which are not part of a subdivision and are on lots less than one and one half (1.5) acres.

Permitted Uses: Existing single and two family detached residences; home occupations; horticultural uses; essential services; accessory buildings; government uses.

Minimum Lot Area and Width: 20,000 sq. ft. and 150 ft width.

Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft.; or Section 6.05 and whichever requires the greater setback shall rule

Maximum Building Height: 2 1/2 stories or 35 feet.

Maximum Building Coverage: 30%.

Placement of accessory buildings. An accessory building which is not a part of the principal building shall not occupy more than 2500 sq. ft. of the required rear yard,

shall not be more than twenty five (25) feet high nor more than two stories, and shall not be nearer than twenty (20) feet to any lot line.

3.10 PUD VILLAGE PLANNED UNIT DEVELOPMENT DISTRICT

The Planned Unit Development District is established to promote improved environmental design and innovative uses of land in the Village of Spring Green. To this intent this District allows variation in the relationship of uses, structures, and open spaces in developments conceived and implemented as cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public services, energy efficiency, and community appearance consistent with the overall intent of this Ordinance and the Master Plan of the Village of Spring Green.

Permitted Uses: Any permitted or conditional use in any of the other Districts in this Ordinance may be permitted subject to the criteria listed below, but such conditions or requirements as are made a part of an approved development plan shall be construed to be and enforced as a part of this Ordinance.

Lot, Buildings, Yard and Parking Requirements: In the Planned Unit Development District there shall be no specific lot area, lot width, yard, height, parking and open space requirements, but such requirements as are made a part of an approved development plan shall be construed to be and enforced as a part of this Ordinance.

Criteria for Approval: As a basis for determining the acceptability of application for rezoning to the Planned Unit Development District, the following criteria shall be applied to the proposed development plan:

1. The proposed development shall be compatible with the physical nature of the site with particular concern for preserving natural features, existing vegetation and topography.
2. The proposed development shall be an asset to the community aesthetically. The buildings and uses shall blend in with the surrounding neighborhood.
3. The proposed development shall not create a traffic or parking demand incompatible with existing or proposed facilities. The width and location of streets, other paving and lighting should be appropriate to the uses proposed. In no case shall standards be less than those necessary to insure public safety as determined by the Village.
4. The proposed development shall not place avoidable stress on the Village's water supply, sanitary sewer and storm water drainage systems.
5. The proposed development shall make adequate provisions for the permanent preservation and maintenance of open space.

Procedure

Step 1: Procedure for Rezoning The procedure for rezoning to the Planned Unit Development District shall be the same as for any other Zoning District change (Section 10.0), except that in addition a general development plan shall be submitted to the Village Plan Commission. The general development plan of the

proposed project shall be presented at a scale of 1" = 100' and shall show at least the following information:

1. The pattern of public and private roads, driveways and parking facilities.
2. A description of land uses and building types, size, arrangements.
3. A utility feasibility analysis.
4. The location of recreational and open space areas reserved or dedicated to the public.
5. General landscape treatment.
6. The plan for phasing the development.
7. Any other data required by the Village Plan Commission or Board.

Upon final approval and adoption of the zoning change to the Planned Unit Development District, all plans submitted as well as other commitments, restrictions and other factors pertinent to assuring that the project will be carried out as presented, shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans.

Step 2: Specific Implementation Plan Approval. Detailed plans are not required to be completed at the time the zoning is approved, however, the review process may be made faster by doing so. Before any building permit is issued, the Plan Commission shall review and approve a Specific Implementation Plan. The applicant shall file the following with the Plan Commission:

1. A final plat of the entire development area showing detailed lot layout, intended uses of each parcel, public dedication, public and private streets, driveways, walkways and parking facilities.
2. The location and treatment of open space areas.
3. The arrangement of building groups other than single family residences and all final landscape plans.
4. Architectural drawings and sketches illustrating the design of proposed structures.
5. A utility plan locating all utility installations.
6. A storm water drainage and erosion control plan.
7. Agreements, by-laws, provisions or covenants which govern the organizational structure, use, maintenance and continued protection of the Planned Unit Development.

At a regular meeting, the Plan Commission shall approve or require changes consistent with the approved general development plan. Upon final approval of the specific implementation plans they shall be filed with the Zoning Administrator and shall be referred to in regard to enforcement or modification of the development plans. All covenants, restrictions or contractual agreements with the Village shall be recorded with the Register of Deeds before final issuance of building permits.

Modifications

Any subsequent change of use of any parcel of land or addition or modification of any approved development plans shall be submitted to the Plan Commission for approval. Minor changes can be granted administratively by the

Plan Commission. Major changes shall require a public hearing preceded by a Class 2 Notice.

**ZONING TEXT FOR
PLANNED UNIT DEVELOPMENT DISTRICT 2002-1
PARCEL NUMBER 0475**

The planned Unit Development District 2002-1 was created to allow the desirable development of residential lots with special setbacks within the limits of the District.

Permitted Uses: single family detached residences; home occupations; buildings accessory to permitted uses.

Conditional Uses: Two Family detached residences on Lots 6 & 7 only.

Minimum Lot Area and Width shall be 8,000 square feet and 70 feet for Lots 1 through 5; and 10,000 square feet and 80 feet for Lots 6 & 7.

Minimum Yards:

Lot No. 1	Madison Street – 25 Feet Minor Public Street – 10 Feet to Residence, 20 Feet to Garage entrances West Line – 10 Feet South Line – 25 Feet
Lot No 2	Minor Public Street – 10 Feet to Residence, 20 feet to Garage entrance West Line – 10 Feet North Line – 25 Feet Cul de Sac and South Line – 25 Feet

Lot No.	Street	Cul de Sac Bulb	Side Yard	Rear Yard
3	N/A	25 FT.	10 FT.	25 FT.
4	N/A	25 FT.	10 FT.	25 FT.
5	N/A	25 FT.	10 FT.	25 FT.
6	N/A	25 FT.	10 FT.	25 FT.
7	25 FT.	25 FT.	10 FT.	25 FT.

Maximum Building Heights: 2 ½ stories or 35 feet measured from the garage slab upwards. Exposed basement are not considered in the measurement of Building Height.

Maximum Building Coverage: 30 percent of total lot area.

Prepared by: Jewell & Associates, Inc.
Dated: April 23, 2002

3.11 ESR EXTRATERRITORIAL SEASONAL RECREATIONAL DISTRICT

The purpose of this district is to preserve the private, seasonal, recreational use of detached single family dwellings in an area abutting an existing private driveway, south of and adjoining Leone Road, a public highway.

Permitted Uses: Essential services, single family dwellings that are occupied for temporary residential purposes on a seasonal basis and incidental to recreational use. Accessory uses and structures. Dwellings in the district shall be occupied not more than nine (9) months each calendar year. Properties shall not be rented or used for any commercial purpose.

Public road frontage shall not be required in this District provided all lots must have an easement for ingress and egress purposes over and across an existing private driveway that provides access to the lots from Leone Road, a public highway, and in addition, shall have not less than 60 feet frontage on the existing private driveway. Adequate ingress and egress for the safe passage of emergency vehicles shall be maintained by the property owners during all times of occupancy. All single family dwellings hereinafter erected shall comply with all provisions of the subdivision ordinance regarding septic systems and water supplies. All applications for zoning permits in this district must be reviewed by the Joint Extraterritorial Zoning Committee. Only one single family residence is allowed on any lot.

Conditional Uses: None

Minimum Lot Area and Width: 1 acre, 150 feet

Minimum Setback from River Bank: 75 feet from traditional high-water mark, or the current Shoreland standard, whichever is greater.

Minimum Side Yard: 10 feet

Minimum Setback from Road: 25 feet

Maximum Building Height: 18 feet, 1 ½ stories

Maximum Lot Coverage: 30%

A sanitary permit must be obtained from Sauk County and a Riverway permit from the Lower Wisconsin State Riverway Board prior to the issuance of a zoning permit. Zoning permit must precede issuance of a building permit. No dwellings may be erected within the flood plain or shoreland zones.

3.12 S-1 VILLAGE & EXTRATERRITORIAL SCHOOL ZONING DISTRICT

The S-1 District is to provide for existing and future development of school campuses.

Permitted Uses: Public and private schools and accessory structures and facilities necessary for the function of schools, agricultural crop production, essential services.

Conditional Uses: None.

Minimum Lot Area & Width: 20,000 sq. ft. and 150 foot width with public sewer.

Minimum Yards: Minimum of 25 feet from any lot line abutting a district other than S-1.

Maximum Building Height: 35 feet.

Maximum Building Coverage: Coverage 40%

Accessory Buildings: Shall not be more than 20 feet high, nor closer than 25 feet to any lot line abutting a district other than S-1.

3.13 DD VILLAGE DOWNTOWN DESIGN DISTRICT (OVERLAY)

The Downtown Design District is provided to regulate the design and appearance of development activities within the downtown area. The intent of the district is to preserve and enhance the historical quality of existing downtown buildings; to improve pedestrian circulation, convenience and comfort; and to attain a consistent and visually pleasing image for the downtown area. As an overlay district the requirements set forth herein, are in addition to those required by the underlying use district.

Review of Building Plans. Within the Downtown Design District, all plans for new construction, exterior renovation, remodeling or demolition shall be reviewed and approved by the Design Committee prior to beginning of any development activities.

Designation of the Downtown Design Committee. In order to carry out the purpose and intent of this district, a Village of Spring Green Downtown Design Committee is hereby designated. Membership of the Design Committee includes: The Village of Spring Green Plan Commission, plus three (3) additional citizen members. One of the additional members should be a representative of downtown businesses and the remaining two should be chosen at large. Village residency of citizen members is preferred but not required. Whenever possible, the membership should include resident professionals in the design fields of architecture, landscape architecture, community planning or engineering. All appointments are made by the Village President with confirmation of the Village Board. Citizen members shall be appointed for two (2) year terms. Committee organization and procedures shall be the same as those of the Plan Commission and may be changed from time to time.

Professional Services. The Design Committee may consult professional services when it is deemed necessary. The Committee may also require that plans submitted for review be certified by an architect or appropriate professional.

Plan Review Procedures. Any application for a zoning permit pursuant to Section 2.05, within the boundaries of the Downtown Design District shall be transmitted to the Design Committee for review and approval. In addition to the information required by Section 2.05, a detailed description of the construction, alteration, demolition or use proposed together with any architect drawings or sketches, if those services have been utilized by the applicant, and, if not, a sufficient description of the construction, alteration, demolition and use to enable anyone to determine what the final appearance shall be is required. On large scale projects, it is suggested that conceptual plans be submitted for preliminary review prior to submitting detailed plans.

Upon receiving an application for a zoning permit requiring approval by the Design Committee, the Zoning Administrator shall contact the Committee Chair

and schedule a meeting within thirty (30) days. Publication of a public hearing notice shall not be required.

The Design Committee shall conduct the meeting and act on the application within thirty (30) days following the meeting. The Committee may take any of the following actions: approve issuance of the zoning permit; deny issuance of the zoning permit; condition issuance on making changes to the submitted plan. All actions taken by the Design Committee shall be recorded and shall state the reasons for the action taken.

A copy of any final approved plan shall be attached to the zoning permit. It shall be the responsibility of the Zoning Administrator to assure that actual development conforms to plans approved by the Design Committee.

Plan Review Guidelines. The Design Committee shall use the following guidelines for reviewing proposed development activities. In addition, the Design Committee should refer to any relevant guidelines in the Village of Spring Green Master Plan.

The mass, volume, or setback of proposed structures should appear to be compatible with existing buildings in the immediate area.

The facade of new or remodeled structures should maintain a compatible relationship with those of existing structures in terms of window sill or header lines; proportion of window and door openings; horizontal or vertical emphasis of major building elements; extent of architectural detail.

The building materials and colors used should compliment and be compatible with other buildings in the immediate area.

Exterior remodeling should be designed to take into account the entire building facade. The ground floor exterior should be designed to harmonize with the upper stories.

Existing buildings and structures should be recognized as products of their own time. Alterations which have no historical basis should be discouraged.

The sizing and placement of signs should fit the building.

All off-street parking and service areas should be landscaped and screened as viewed from public rights-of-way.

Any landscape treatment should utilize a combination of deciduous and evergreen trees and shrubs hardy to this region and requiring minimum maintenance. All plant materials should be of sufficient size to be visually effective at the time of installation.

Demolition should occur only where it is found that the structure is structurally unsound or physically incapable of supporting a viable use.

3.14 SR-1 VILLAGE SPECIAL DESIGN REVIEW DISTRICT (OVERLAY)

The Village Special Design Review District 1 is provided in accordance with the intent outlined in section 1.03 and 2.08 of this ordinance as an overlay district. The intent is to minimize the impact of flood events within certain areas of the village identified as being vulnerable. Observations as well as data collected following substantial rain events and ensuing ground surface flooding during the month of June 2008 are the basis for this action. As an overlay district the requirements set forth herein, are in addition to those required by the underlying use district.

The extremely heavy rain events of June 2008 were preceded by above normal precipitation during the fall season of 2007 as well as record levels of snow during the 2007 – 2008 winter season. As such this type of flooding is viewed as an infrequent event; however it is in the interest of the village and its residents to take what the plan commission believes to be reasonable levels of precaution.

The plan commission began collecting data and entered into planning discussions during its monthly meetings in an effort to further this objective. Based on the review of photographs and aerial imagery taken during June and July of 2008, the plan commission began a several month long process of identifying the areas within the village limits that were significantly impacted. After identifying these areas, the individual parcels within these areas were separated into three different levels of flood severity, Level 1, Level 2, and Level 3. Each of these levels was defined to assist in determining the type of structures that should be permitted upon these parcels in the future. These levels are defined in the following paragraphs.

Level 1

Further development is restricted in parcels identified as “Level 1”. The status of Level 1 parcels may be upgraded based on the criteria outlined later in this section. The plan commission will be responsible for this continued review of Level 1 parcels after they determine the appropriate conditions have been met.

Parcel 0767, bordered by Sommerset Road to the south and CTH G to the east, has been identified as a potential area for storm water retention. The intersection of Sommerset and CTH G is annually prone to standing storm water due to lack of runoff opportunities. This was especially evident during the heavy rain and flood events of June 2008. The majority of this parcel was under water for several weeks during the summer of 2008. Raising the parcel to prevent water accumulation would likely exacerbate the problem of water remaining on the street and would also likely cause flooding for the business to the north. A properly designed retention area on parcel 0767 could reduce the frequency and duration of storm water remaining on Sommerset Road.

Parcels 0768, 0769, and 0770 (along south side of Sommerset Road) shall not have additional development until the storm water retention issue for parcel 0767 has been properly addressed to the satisfaction of the plan commission since this would increase the percentage of impervious surfaces in the immediate area.

Parcels 0779, 781, 782, 783 shall be restricted from further development until the safety concerns created by the standing water on North Westmor Street during June and July of 2008 is resolved in a manner acceptable to the plan commission.

Level 2

Future development upon the parcels identified as “Level 2” is acceptable if the following condition is met. Structures for human occupancy and / or usage shall be limited to slab on-grade type foundations with all openings and floor elevations being at least 12 inches above the existing curb at the highest front corner of the parcel upon which the structure shall be located. The following parcels are identified as “Level 2”: 0732, 0733, 0734, 0735, 0736, 0737, 0738, 0757, 0758, 0759, 0760, 0761, 0762, 0763, 0764, 0765, 0766 (all located along north side of Sommerset Road).

Level 3

Future development upon the parcels identified as “Level 3” is acceptable; however construction of below grade living space (“living space” as defined per Wisconsin Building Code) is not permitted.

The following parcels are identified as “Level 3”: 0739, 0740, 0741, 0742, 0743, 0744, 0745, 0746, 0747, 0748, 0749, 0750, 0751, 0752, 0753, 0754, 0755, 0756, ,0774, 0775, 0776, 0777, 0778, 0784, 0785, 0786, 0787, 0788, 0821, 0822, 0823, 0824, 0825, 0826, 0827, 0828, 0829, 0830, 0831, 0834, 0648-101, 0648-102, 0648-103, 0648-104, 0648-105, 0648-106, 0648-107, 0648-108, 0648-109, 0648-110, 0648-111, 0648-112, 0648-113, 0648-114, 0648-115, 0648-116, 0648-117, 0648-118, 0648-119, 0648-120, 0648-121, 0648-122, 0648-123, 0648-124, 0648-125, 0365-503, 0365-50100

Reference the map labeled Appendix A for the location of these parcels. Discrepancies between this ordinance and the Appendix A map shall be resolved by the Village Plan Commission.



DOUBLE CLICK ON IMAGE FOR EXPANDED IMAGE

SECTION 4.0 CONDITIONAL USES

4.01 PERMITS

The Village Plan Commission may authorize the Zoning Administrator to issue a zoning permit for conditional uses after review and a public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this Ordinance and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.

4.02 APPLICATION

Applications for zoning permits for conditional uses shall be made to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the information required in Section 2.05 except to the extent such information is not required as determined by the Plan Commission.

4.03 HEARINGS

The Village Plan Commission shall hold a public hearing upon each conditional use application giving Class 2 Notice. In the extraterritorial area conditional uses shall also be reviewed by the Joint Extraterritorial Zoning Committee.

4.04 REVIEW AND APPROVAL

The Village Plan Commission shall use the following standards when reviewing applications for conditional use:

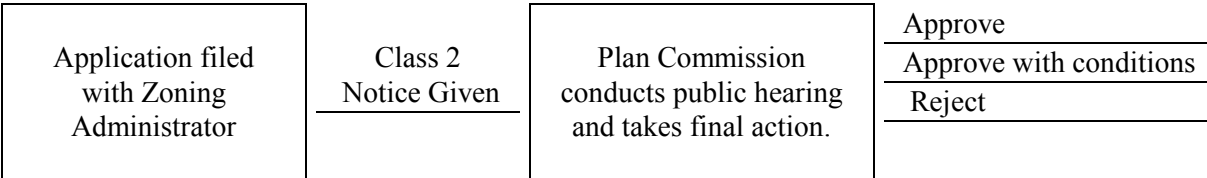
That the establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or reduce the values of other property. That adequate utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided. That the conditional use conforms to all applicable regulations of the district in which it is located. That the conditional use conforms to the purpose and intent of the Village and extraterritorial land use plans.

Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance. When a conditional use has been permitted or applied for in the R-1, R-2, or R-3 districts for a bed & breakfast establishment, daycare center, nursing or group home, a charitable or non-profit institution or facility, a church, or a funeral home, signage of a type, size and location appropriate to the nature of the neighborhood and the proposed use may be considered and approved as part of the conditional use permit by the Plan Commission.

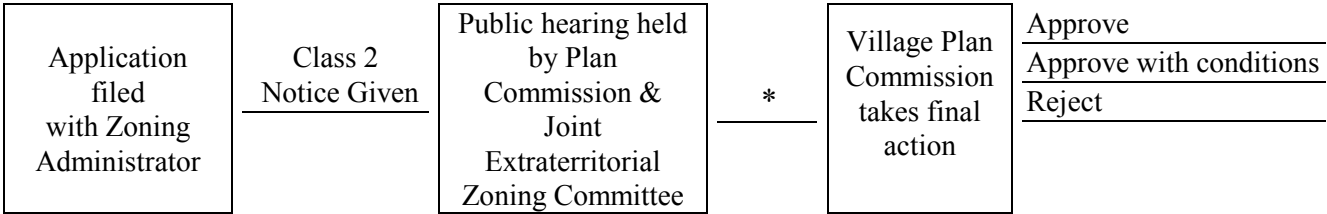
Compliance with all other provisions of this Ordinance, such as lot width and

area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses. Variances shall only be granted as provided in Section 9.0.

STEPS IN APPLICATION FOR A CONDITIONAL USE IN VILLAGE



STEPS IN APPLICATION FOR A CONDITIONAL USE
WITHIN THE EXTRATERRITORIAL AREA



* Joint Extraterritorial Zoning Committee must make a favorable recommendation in order for Plan Commission to act.

Approval.

Following the public hearing and review of the conditional use application, the Village Plan Commission shall approve, disapprove or further conditionally approve the application. A simple majority approval by the Village Plan Commission members in attendance constitutes final approval of the conditional use. No further action by the Village Board is required. Approval of conditional uses in the extraterritorial area shall require a favorable recommendation from the Joint Extraterritorial Zoning Committee.

Recordkeeping.

Records of all Village Plan Commission actions approving conditional uses shall be maintained by the Zoning Administrator and shall be referred to in regard to enforcement and modification of conditional use approvals.

4.05 ADULT ENTERTAINMENT

An adult-oriented establishment shall be a conditional use in the M-1 Manufacturing District. All pertinent general or district zoning restrictions shall apply. In addition, no permit may be granted for an adult-oriented establishment unless it shall be located at least one thousand feet from:

- a) The boundaries of the following districts: R-1 Single and Two Family Residential District, R-2 Single Family Residential District, R-3 Multiple Family Residential District, and PUD Planned Unit Development District; and/or
- b) any property within the Village used for residential, church, park or school purposes.

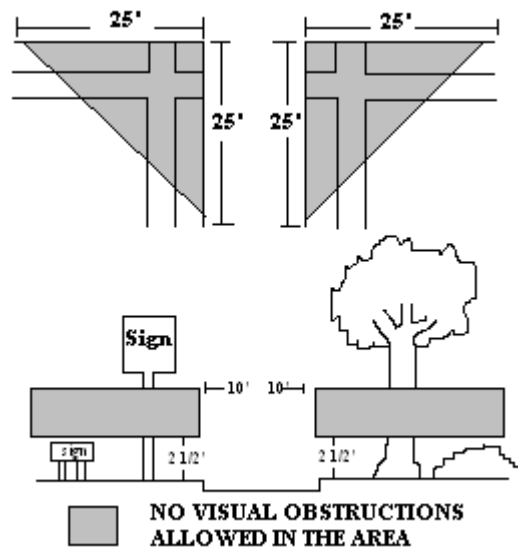
All applicable provisions of the municipal code and the Wisconsin Statutes regulating conditional uses shall apply to any request for conditional use for an adult-oriented establishment.

If any provision of this chapter is deemed invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the other provisions of same.

SECTION 5.0 TRAFFIC, PARKING AND ACCESS

5.01 TRAFFIC VISIBILITY

No obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half (2.5) feet and ten (10) feet above the plane through the mean curb-grades within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of twenty five (25) feet from their intersection. (Refer to diagram below)



In the Case of Arterial Streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to fifty (50) feet.

5.02 LOADING REQUIREMENTS

In all districts, except B-1, adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way.

5.03 PARKING REQUIREMENTS

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased, off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to a public street shall be provided for each parking stall and driveways shall be at least ten (10) feet wide for parking areas for less than ten (10) vehicles and twenty (20) feet for parking lots for ten (10) or more vehicles.

Size of each parking stall shall be not less than one hundred and eighty (180) square feet exclusive of the space required for ingress and egress.

Location to be on the same lot as the principal use or not over four hundred (400) feet from the principal use.

Lighting: Any lighting used to illuminate an off-street parking area shall be shaded or diffused in order to direct the light down and away from adjoining properties and adjoining streets.

Screening of Parking Areas: When a required off-street parking area for six (6) cars or more is located within, adjoining or along a street line opposite a residential district or adjoining a public right-of-way in any district there may be required a landscape barrier or fence of suitable material of not less than three and one-half (3.5) feet nor more than six (6) feet in height along such lot lines.

Surfacing: All off-street parking areas shall be graded and surfaced so as to be dust free and properly drained.

Parking areas for more than five (5) vehicles shall have the aisles and stalls clearly marked.

Curbs or Barriers shall be installed so as to prevent the parked vehicles from extending over any lot lines.

Number of Parking Stalls Required:

Single-family dwellings	2 stalls for each dwelling unit
Multi-family dwellings (housing for the elderly exempted)	1.5 stalls for each dwelling unit
Motels	1 stall for each guest room plus 1 stall for each 3 employees
Hospitals, clubs, lodges, sororities, dormitories, lodging and boardinghouses	1 stall for each 2 beds plus 1 stall for each 3 employees
Rest, nursing and group homes. Assisted care facilities.	1 stall for each 5 beds plus 1 stall for each 3 employees
Medical and dental clinics	3 stalls for each doctor
Churches, theaters, auditoriums, community centers, vocational and night schools, and other places of public assembly	1 stall for each 10 seats
Colleges, secondary and elementary schools	1 stall for each 2 employees
Restaurants, bars, places of entertainment, repair shops, retail and service stores	1 stall for each 300 square feet of floor space
Manufacturing and processing plants, laboratories, and warehouses	1 stall for each 3 employees
Financial institutions, business, governmental, and professional offices	1 stall for each 300 square feet of floor space
Funeral homes	1 stall for each 4 seats
Bowling alleys	5 stalls for each alley

Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use.

Uses Not Listed: In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.

Handicap Accessible Improvements to commercial buildings are exempt from the parking stall requirements.

Exceptions to the parking stall requirements listed above may be made in deference to other sections of the Zoning Ordinance.

SECTION 6.0 MODIFICATIONS

6.01 HEIGHT

The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modifications shall be in accord with the following:

Architectural Projections, such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys, are exempt from the height limitations of this Ordinance.

Special Structures, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, personal radio and television receiving antennas under 50 feet in height, manufacturing equipment and necessary mechanical appurtenances, cooling towers, windmills, substations, smoke stacks and solar collectors, are exempt from the height limitations of this Ordinance.

Essential Services, utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this Ordinance.

Communication Structures, such as radio and television transmissions and relay towers, aerials, and observation towers, shall not exceed in height three (3) times their distance from the nearest lot line; and, in addition, wireless communication towers shall not exceed 75 feet in height.

Agricultural Structures such as barns, silos, and windmills, shall not exceed in height twice their distance from the nearest lot line.

Public or Semipublic Facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of sixty (60) feet provided all required yards are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.

6.02 YARDS

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

Uncovered Stairs, landings, and fire escapes may project into any yard but not to exceed six (6) feet and not closer than three (3) feet to any lot line.

Architectural Projections, such as chimneys, flues, sills, eaves, belt courses, ornaments and solar collectors may project into any required yard.

Residential Fences are permitted on or off the property lines in residential districts but shall not in any case exceed a height of six (6) feet; shall not exceed a height of four (4) feet in the front yard and shall not be closer than two (2) feet to any public right-of-way.

Security Fences are permitted on or off the property lines in all districts except residential districts but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

Accessory Uses and detached accessory structures are permitted in the rear yard only unless located in the side yard in the R-9 district. Accessory buildings in the B-7 district are exempt from the yard requirement.

Essential Services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.

Landscaping and vegetation are exempt from the yard requirements of this Ordinance.

6.03 ADDITIONS

Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.

6.04 AVERAGE STREET YARDS

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side. Where the established building setback in any residential or business districts is greater than the minimum required, no structure shall be permitted to extend in front of the established building setback line.

On a corner lot each yard abutting a street shall be governed by the front yard requirements.

6.05 SPECIAL PROVISIONS IN THE EXTRATERRITORIAL AREA

The minimum required setback in any district within the Extraterritorial area shall be modified to conform to the following standards:

The minimum setback from all State and Federal Highways shall be 110 feet from the centerline of the highway or 50 feet from the right-of-way line, whichever is greater.

The minimum setback from all County Trunk highways shall be 75 feet from the centerline of the highway or 42 feet from the right-of-way line, whichever is greater.

The minimum setback from all Town Roads shall be 63 feet from the centerline of the roadway or 30 feet from the right-of-way line, whichever is greater.

In addition to the foregoing provisions, lots not serviced by a public sewage collection and treatment facility shall have a lot area sufficient to comply with the Village's Water Well Head Protection District programs and all applicable statutes, ordinances, rules and regulations of the State of Wisconsin and Sauk County.

SECTION 7.0 SIGNS

7.1 Purpose. The purpose of this chapter is to set forth the village's requirements for signs, to provide adequate means of communication while maintaining and enhancing the attractive visual appearance of the village, to protect the public health, safety, general welfare and orderly development of the community through the regulation of signs and sign structures.

7.2 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this ordinance, have the meanings shown herein.

ABANDONED SIGN. A sign structure that has ceased to be used for the display of sign copy.

ADJACENT STREET GRADE. The height of the crown of the road.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion, beacon lights, moving lights or searchlights. Animated signs also include the following types:

Flashing sign. A sign which is directly or indirectly illuminated on which the artificial light is not constant in intensity and color at all times when such sign is in use.

Environmentally

Activate A sign or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, or other devices that respond to naturally occurring external motivation.

Mechanically

Activated A sign employing repetitive motion or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION. Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building.

AWNING. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid (including but not limited to shingles and other standard roofing materials) or non-rigid materials on a supporting framework that may be either permanent or retractable.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning. (See also "Wall Sign.")

BACKLIT AWNING. An awning with a translucent covering material and a source of illumination behind or beneath the awning.

BANNER. A free-standing sign of lightweight fabric, paper, plastic or similar material mounted either with or without a frame on which copy or graphics may be displayed.

BANNER SIGN. A sign utilizing a banner as its display surface.

BILLBOARD. An "Off-premise sign" greater than 32 square feet.

BUILDING ELEVATION. The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

CANOPY (Attached). An overhead structure or architectural projection supported by attachments to a building on one or more sides and supported by columns at additional points.

CANOPY (Freestanding). An overhead structure supported by columns, but not enclosed by walls.

CANOPY SIGN. A sign affixed to the visible surface(s) of an attached or freestanding canopy.

CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input. Changeable signs used for traffic control purposes by WisDOT, Sauk County or the Village of Spring Green are not subject to this part.

COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message.

DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DOUBLE FACED SIGN. A sign with two faces, back to back with copy. If the sign is thicker than 18 inches, or if copy is placed on the 18 inch or less sides of the sign it shall be considered a multiple faced sign and the area of all vertical faces of the sign shall be included in the total area.

ELECTRONIC MESSAGE SIGN OR CENTER. An electrically activated changeable sign whose variable message capability can be electronically programmed, including such messages as text, art, graphics, time, date, temperature, weather, or information concerning civic or charitable events or the advertising of products or services for sale on the premises. See: Changeable Sign.

EXTERIOR SIGN. Any sign placed outside a building.

FLAG. See Banner.

FLASHING SIGN. See "Animated Sign.

FRONTAGE (Building). The length of an exterior building wall or structure of a single premise orientated to the public way or other properties that it faces.

FRONTAGE (Street). The length of the property(s) line of any single premise along a street, public parking lot, or public way.

FRONTAGE (Property). The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

GLARE. To shine intensely and conspicuously. To stand out obtrusively.

GROUND SIGN (Freestanding Sign). A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.

ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) from a directed light source (externally illuminated). Signs illuminated by building, canopy, or other sources of indirect lighting shall not be considered externally illuminated.

INTERIOR SIGN. Any sign placed within a building.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior building facade and projects above the structural roof.

MENU BOARD SIGN. A sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than 20 percent of the total area for such a sign utilized for business identification.

MULTIPLE-FACED SIGN. A sign containing three or more faces with copy.

OFF-PREMISES SIGN. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the lot where the sign is displayed.

ON-PREMISES SIGN. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the lot or building where the sign is displayed.

PARAPET. A vertical wall-like extension of a building facade above the line of the structural roof.

POLE SIGN. See "Ground Sign.

POLITICAL SIGN. A temporary sign intended to advance a political statement, cause or candidate for office.

PORTABLE SIGN. Any sign mounted on wheels or skids, or not permanently attached to the ground or to a building or building surface.

PROJECTING SIGN. A sign that is attached to or projects greater than or equal to 4 inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

REAL ESTATE SIGN. A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

REAL ESTATE SUBDIVISION SIGN. A temporary development sign identifying the name, location, and/or developer of an ongoing subdivision development.

ROOF LINE. The top edge of a peaked roof or, in the case of an extended facade, mansard, or parapet, the uppermost point of said facade, mansard, or parapet.

ROOF SIGN. A sign mounted on the main roof portion of a building or above the uppermost edge of a parapet wall of a building. Signs mounted on mansards, canopies or awnings, and not projecting above the uppermost edge of a parapet wall of a building, shall not be considered to be roof signs.

SIGN. A device that displays either commercial or noncommercial messages intended to identify, promote, call attention to, or invite patronage.

SIGN AREA. The total area of the sign. See Sign Area Computation Figure B.

SIGN STRUCTURE. Any structure supporting a sign.

TEMPORARY SIGN. A sign approved for display for a period not to exceed four weeks.

TENANT DIRECTORY SIGN. A sign which has a purpose limited to group listing and identification of offices or business establishments within a single building, industrial or commercial "park" or otherwise singularly-planned development.

UNDER CANOPY, UNDER AWNING, OR UNDER EAVE SIGNS. A sign attached to the underside of a canopy, awning, or eave.

VEHICLE SIGN. A sign mounted, applied, painted, or in any other way attached to a self-propelled device.

WALL SIGN. A sign mounted on or parallel to a building facade or other vertical building surface, not extending beyond the edge of any wall or other surface to which it is mounted. It shall project less than four inches from that wall or surface. Wall signs can include awning, canopy, fascia signs, and exterior window signs.

WINDOW SIGN. An interior sign intended to be visible to and readable from the public way or from adjacent property.

7.3 SUBMITTAL REQUIREMENTS

7.3.1 No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except as specifically exempted in Section 7.4

7.3.2 Application for a zoning permit shall include the following information regarding proposed signage:

- a. Written summary, photographs and calculation of area of all existing signs on the premises.
- b. Plans and elevations of proposed signage, including dimensions, location on property, material, color, lighting, format, letter face, and copy. Submittal shall include full color graphic display accurately illustrating proposed signage.
- c. Refer to section 2.05 of this Ordinance for additional Zoning submittal requirements.

7.4 EXEMPT SIGNS

7.4.1 The following signs shall be exempt from the submittal requirements of this ordinance. No sign shall be exempt from the Restrictions and Prohibitions of section 7.6.

7.4.2 Exempt in all Zoning Districts

- a. Official Signs authorized by a court, public body or public safety official, such as traffic control, parking restrictions, information, and notices.

7.4.3 Exempt in all Zoning Districts , excluding S-1 Village & Extraterritorial School Zoning District:

- a. Political Signs that conform with Section 12.04 of Wisconsin State Statutes.
- b. Temporary Signs including portable signs or banners, when authorized by the Plan Commission in the Village, or by the Joint Extraterritorial Zoning Committee when in the extraterritorial area.

- 7.4.4 Exempt in Zoning Districts R-1 thru R-9, AP, AT, ARN, and ARE.
- a. Real Estate Signs not to exceed eight (8) square feet in area per premises which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.
 - b. Name, Home, Occupation, Professional Office, and Warning Signs not to exceed two (2) square feet per premises located on the premises.
 - c. Farm Signs giving the name of the farm, farm owner or commodities produced and not to exceed twenty (20) square feet in total area.
 - d. Memorial Signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.

- 7.4.5 Exempt in Zoning Districts B-1 thru B-8, and M-1.
- a. Window Signs to be displayed for a period not to exceed 3 months.

- 7.4.6 Existing Signs:
- a. Signs lawfully existing at the time of adoption or amendment of the ordinance may be continued although the use, size, or location does not conform with the provisions of this ordinance. However, it shall be deemed a nonconforming use or structure and the provisions of Section 8.0 shall apply.
 - b. Existing Signs whose operation causes the sign to be defined as an Animated Sign shall be modified or operated to not employ motion or the illusion of motion.

- 7.4.7 Window or Wall Signs Not Readable Off-Premises.
- a. Window or wall signs not exceeding two (2) square feet in area with lettering not exceeding three (3) inches high designed to provide information to persons on the premises such as hours of operation, or sample restaurant menu. Where no front yard setback exists, such signs as would generally be unreadable off premises were minimum setback regulations applied, shall qualify for this exemption notwithstanding that such signs are readable from the public right of way. Such signs shall not be counted toward total permitted signage.

7.5 TOTAL PERMITTED SIGN AREA

- 7.5.1 Except in Zoning Districts B3 and B8 the total area of all signs on a premises shall not exceed the following limits:
- a. Street Frontage is less or equal to one hundred (100) feet
 1. One hundred (100) square feetor
 2. Fifty (50) square feet plus Twenty-five (25) square feet per tenant, not to exceed Two hundred (200) square feet per premises.
 - b. Street Frontage is greater than one hundred (100) feet and less than four hundred (400) feet.
 1. Two hundred (200) square feetor

2. One hundred (100) square feet plus Fifty (50) square feet per tenant, not to exceed Three hundred (300) square feet per premises.
 - c. Street Frontage is greater than four hundred (400) feet.
 1. Four hundred (400) square feet
 - or
 2. Two hundred (200) square feet plus Fifty (50) square feet per tenant, not to exceed Five hundred (500) square feet per premises.
- 7.5.2 In Zoning Districts B3 and B8 the total area of all signs on a premises shall not exceed the following limits:
- a. Street Frontage is less or equal to one hundred (100) feet
 1. Two hundred (200) square feet
 - or
 2. One hundred (100) square feet plus Twenty-five(25) square feet per tenant, not to exceed three hundred (300) square feet per premises.
 - b. Street Frontage is greater than one hundred (100) feet and less than four hundred (400) feet.
 1. Three hundred (300) square feet
 - or
 2. Two hundred (200) square feet plus Fifty (50) square feet per tenant, not to exceed four hundred (400) square feet per premises.
 - c. Street Frontage is greater than four hundred (400) feet.
 1. Five hundred (500) square feet
 - or
 2. Two hundred (200) square feet plus Fifty (50) square feet per tenant, not to exceed six hundred (600) square feet per premises.

7.6 RESTRICTIONS AND PROHIBITIONS

- 7.6.1 Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window or fire escape; and no sign shall be attached to a standpipe or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility.
- 7.6.2 Signs shall be twenty (20) feet maximum above the adjacent street grade.
- 7.6.3 Signs shall meet setback requirements of the zoning district. Projecting signs shall not extend more than six (6) feet into any required yard, shall not extend more than three (3) feet into any public right-of-way, and shall not be less than ten (10) feet from all side lot lines.
- 7.6.4 No sign shall be added to an official sign, official sign post, utility pole or attached to a tree.

- 7.6.5 At the termination of an advertised use, all copy advertising that use shall be removed from public view within 30 days.
- 7.6.6 No Animated signs, Backlit Awning signs, or Roof signs shall be permitted.
- 7.6.7 Signs constructed, erected or put in place in violation of this ordinance shall be removed by the property owner, or by the lessee of the property if the sign is constructed, erected or put in place by a lessee, within 24 hours of written notice from the Village if in a public right of way, or within 10 days of written notice from the Village if not in a public right of way. If such sign is not removed, the sign may be removed by the Village and all costs and expenses thereof shall be paid by the property owner or lessee and the Village shall not be responsible for any loss or damage to such sign as the result of its removal. A sign removed by the Village pursuant to this provision shall not be returned to the property owner or lessee until the costs and expenses of removal together with any forfeiture are paid in full.
- 7.6.8 Signs Permitted as Conditional Uses
- a. Off-Premises Directional Signs no larger than 32 square feet in area may be permitted in any district on properties abutting town roads. Such signs shall be located on the portion of the property adjacent to the town road, out of the right-of-way, and shall comply with the traffic visibility standards of Section 5.01. No business shall have more than one directional sign. No more than one directional sign shall be permitted on a parcel. Such signs shall also be subject to any additional conditions imposed by the Joint Extraterritorial Zoning Committee.
 - b. When a conditional use has been permitted or applied for in the R-1, R-2, or R-3 districts for a bed & breakfast establishment, daycare center, nursing or group home, a charitable or non-profit institution or facility, a church, or a funeral home, signage of a type, size and location appropriate to the nature of the neighborhood and the proposed use may be considered and approved as part of the conditional use permit by the Plan Commission.
- 7.6.9 Changeable Copy Signs.
- (a) Changeable copy signs are not an additional permitted sign type, but any permitted sign type may be a changeable copy sign, provided that the total surface area of the entire sign does not exceed the maximum allowed for the type and location of sign upon which the changeable copy is displayed.
 - (b) Electronic Variable Message Signs: Any sign type may be an electronic variable message sign subject to the following regulations:
 1. Surface Area: The areas of electronic variable message signs capable of displaying copy shall not exceed the limits described in described in sections 7.6.10 and 7.6.11 and shall be included within the maximum aggregate sign surface area allowed for the

type and location of sign upon which the changeable copy is displayed.

2. Length of Cycle. The electronic changeable copy or images shall not alternate, change, fade in, fade out, or otherwise change more frequently than as described in sections 7.6.10 and 7.6.11. Electronic variable message signs may not display scrolling, racing, pixelating or moving characters or images, or similar actions that convey motion.
3. Brightness Adjustment: An electronic variable message sign shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination such that the light level does not exceed three (3) foot candles at the front lot line and one (1) foot candle at all other lot lines, measured three (3) feet above the surface of the ground. Documentation shall be supplied from the sign installer stating the projected illumination level of the sign. Existing electronic variable messages signs shall comply with this part if requested in writing by the Village Board.
4. Maintenance: Any electronic variable message sign shall be maintained so as to be able to display messages in a complete and legible manner.

7.6.10 Except in Zoning Districts B3 and B8 specific sign types are subject to the following restrictions:

Sign Type	Max. Area per sign (Square Feet)	Max. Quantity Per premises	Notes
Billboard, Ground Sign	100 (per premises)	2	a
Changeable Sign, Electronic Message Sign or Center	10*	2*	a,e,n,o*
Directional Sign	12	b	a,c
Double Faced Sign	A	a	a,d
Illuminated Sign	50 (per premises)*	a	a,e,o*
Mansard Sign	50 (per premises)	2	a,j
Menu Board Sign	50	2	a,f
Multiple Faced Sign	A	a	a,g
Portable Sign, Temporary Sign	32	2	a,h
Projecting Sign	m	m	a,j,m
Real Estate Sign	10	2	a
Real Estate Subdivision Sign	32	2	a,i
Under Canopy, Under Awning, or Under Eave Signs	10	2	a,j
Vehicle Sign	a	a	a,k
Wall Sign, Parapet Sign, Mansard Sign	10% of building elevation area	a	j,l

- a. Total Area of all signs on premises shall not exceed the limits set in section 7.5.1
- b. Permitted as required per site layout. Proposed directional signage must be submitted for zoning permit.
- c. Only area of Directional Signs utilized for business identification shall be included in the Total Area.

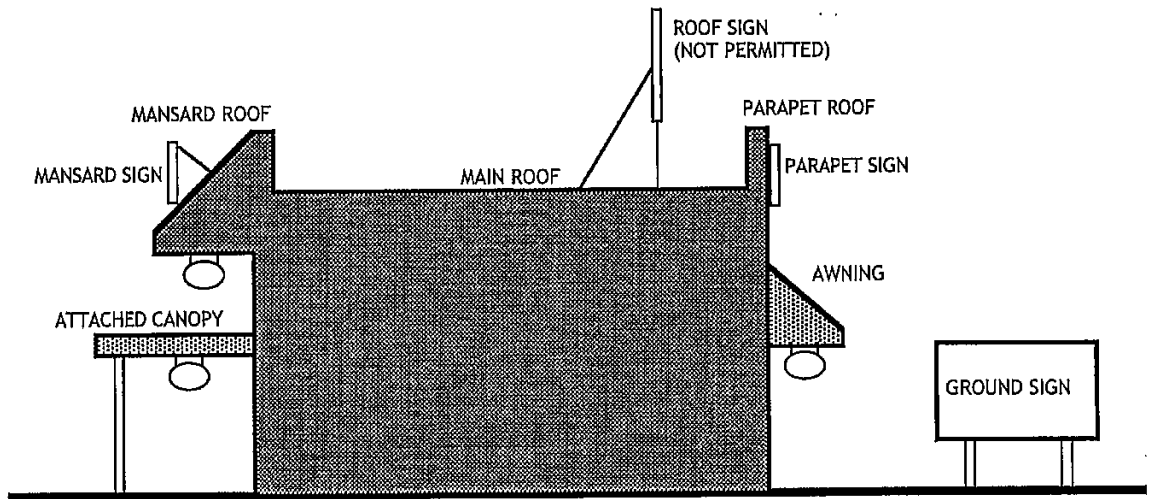
- d. *Area of Double-Faced Sign shall be calculated as the area of one side.*
- e. *Brightness Limitation: Except for daytime displays on electronic variable message signs, in no instance shall the lighting intensity of any illuminated sign exceed three (3) foot candles at the front lot line, one (1) foot candle at all other lot lines, measured three (3) feet above the surface of the ground and fifty (50) footcandles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign.*
Glare: All artificial illumination shall be so designed, located, shielded and directed so as to prevent the casting of glare or direct light upon adjacent public right-of-way or surrounding property.
Hours of operation: Shall not be lit during hours when business is closed.
- f. *Area of Menu Board Sign utilized for business identification shall be included in the Total Area, the remaining area of the sign shall not be included.*
- g. *The area of each face of the sign shall be counted toward the Total Area.*
- h. *As specifically authorized by the Plan Commission in the Village, or by the Joint Extraterritorial Zoning Committee when in the extraterritorial area. Approval period for specific temporary or portable signs may not exceed four weeks. Authorization for signs shall not be granted if the proposed signs are judged to potentially conflict with the objectives stated in Section 7.1*
PURPOSE.
- i. *Signs will be issued a permit only after review by the Plan Commission. A permitted sign advertising lots for sale will be issued a permit that requires renewal after five (5) years. A permitted sign only identifying the subdivision will be issued a permanent permit, maximum area per subdivision limited in area as defined in section 7.5.1*
- j. *Signs shall not be less than nine (9) feet above a sidewalk or other pedestrian way nor fifteen (15) feet above a driveway or an alley*
- k. *Vehicle Signs on vehicles operated by public bodies or public safety officials shall not be limited by this ordinance. Vehicle Signs identifying the business operating a vehicle shall be allowed and shall not be calculated in the Total Area unless the Vehicle Sign covers more than 50% of a vehicle side and the vehicle is consistently parked in a location visible from the public way.*
- l. *Cumulative area of all Wall signs, Projecting signs Parapet signs, and Mansard signs shall not exceed 10% of the building elevation area. Each building elevation shall be considered separately.*
- m. *Maximum area of projecting signs hanging perpendicular to the building shall be 10 sf and a maximum of 2 perpendicular signs are allowed per premise. Projecting signs erected flush to the building and not projecting more than 10 inches shall be a maximum of 50 sf of area with a maximum of 8 signs.*
- n. *Message or copy on a Changeable Sign, Electronic Message Sign or Center shall not change at a rate greater than once every five minutes.*
- o. *Three (3) Fuel price information signs(Changeable Sign, Electronic Message Sign or Center), mounted at one freestanding location, are permitted per premise not to exceed 40 square feet total. The signs shall otherwise comply with this part. This area does not count toward illuminated sign limits allowed per parcel.*

7.6.11 In Zoning Districts B3 and B8 specific sign types are subject to the following restrictions:

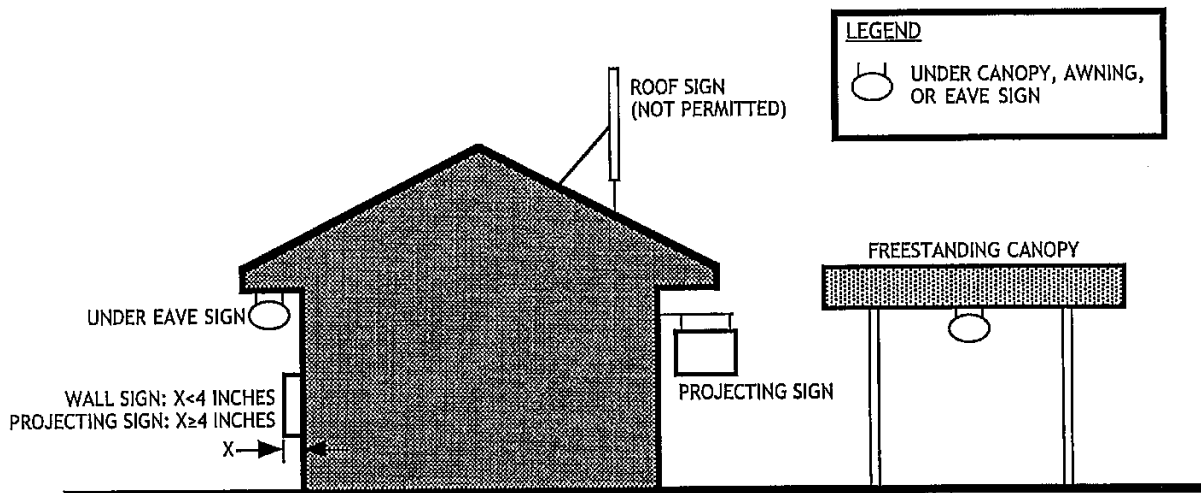
Sign Type	Max. Area per sign (Square Feet)	Max. Quantity Per premises	Notes
Billboard, Ground Sign	200 (per premises), 150 sf per sign max	2	a
Changeable Sign, Electronic Message Sign or Center	50	2*	a,e,n,o
Directional Sign	12	b	a,c
Double Faced Sign	A	a	a,d
Illuminated Sign	200 (per premises)	a	a,e
Mansard Sign	100(per premises)	2	a,j
Menu Board Sign	50	2	a,f
Multiple Faced Sign	A	a	a,g
Portable Sign, Temporary Sign	32	2	a,h
Projecting Sign	m	m	a,j,m
Real Estate Sign	10	2	a
Real Estate Subdivision Sign	32	2	a,i
Under Canopy, Under Awning, or Under Eave Signs	10	2	a,j
Vehicle Sign	a	a	a,k
Wall Sign, Parapet Sign, Mansard Sign	10% of building elevation area	a	j,l

- a. Total Area of all signs on premises shall not exceed the limits set in section 7.5.1
- b. Permitted as required per site layout. Proposed directional signage must be submitted for zoning permit.
- c. Only area of Directional Signs utilized for business identification shall be included in the Total Area.
- d. Area of Double-Faced Sign shall be calculated as the area of one side.
- e. Brightness Limitation: Except for daytime displays on electronic variable message signs, in no instance shall the lighting intensity of any illuminated sign exceed three (3) foot candles at the front lot line, one (1) foot candle at all other lot lines, measured three (3) feet above the surface of the ground and fifty (50) footcandles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign.
Glare: All artificial illumination shall be so designed, located, shielded and directed so as to prevent the casting of glare or direct light upon adjacent public right-of-way or surrounding property.
- f. Area of Menu Board Sign utilized for business identification shall be included in the Total Area, the remaining area of the sign shall not be included.
- g. The area of each face of the sign shall be counted toward the Total Area.
- h. As specifically authorized by the Plan Commission in the Village, or by the Joint Extraterritorial Zoning Committee when in the extraterritorial area. Approval period for specific temporary or portable signs may not exceed four weeks. Authorization for signs shall not be granted if the proposed signs are judged to potentially conflict with the objectives stated in Section 7.1 PURPOSE.
- i. Signs will be issued a permit only after review by the Plan Commission. A permitted sign advertising lots for sale will be issued a permit that requires renewal after five (5) years. A permitted sign only identifying the subdivision will be issued a permanent permit, maximum area per subdivision limited in area as defined in section 7.5.1
- j. Signs shall not be less than nine (9) feet above a sidewalk or other pedestrian way nor fifteen (15) feet above a driveway or an alley

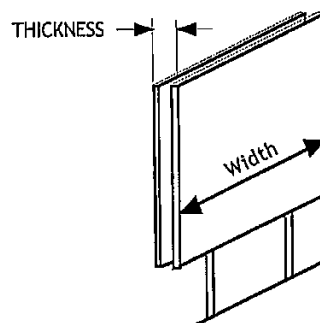
- k. Vehicle Signs on vehicles operated by public bodies or public safety officials shall not be limited by this ordinance. Vehicle Signs identifying the business operating a vehicle shall be allowed and shall not be calculated in the Total Area unless the Vehicle Sign covers more than 50% of a vehicle side and the vehicle is consistently parked in a location visible from the public way.*
- l. Cumulative area of all Wall signs, Parapet signs, and Mansard signs shall not exceed 10% of the building elevation area. Each building elevation shall be considered separately.*
- m. Maximum area of projecting signs hanging perpendicular to the building shall be 10 sf and a maximum of 2 perpendicular signs are allowed per premise. Projecting signs erected flush to the building and not projecting more than 10 inches shall be a maximum of 50 sf of area with a maximum of 8 signs.*
- n. Message or copy on a Changeable Sign, Electronic Message Sign or Center shall not change at a rate greater than once every seven seconds.*
- o. Three (3) Fuel price information signs(Changeable Sign, Electronic Message Sign or Center), mounted at one freestanding location, are permitted per premise not to exceed 40 square feet total. The signs shall otherwise comply with this part. This area does not count toward illuminated sign limits allowed per parcel.*



SCHEMATIC BUILDING SECTION



SCHEMATIC BUILDING SECTION



If sign is thicker than 18 inches, it shall be considered a multiple faced sign and the area of all vertical faces of the sign shall be included in the total area.

DOUBLE FACED SIGN

SIGN DEFINITION ILLUSTRATIONS
FIGURE A



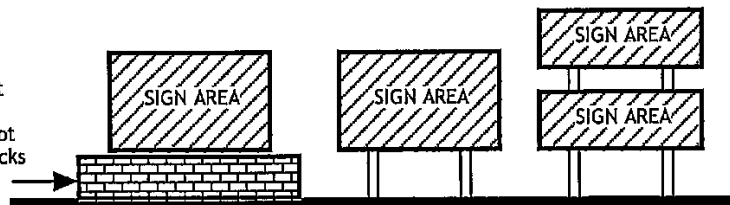
TYPICAL SIGN:
Compute area inside defined border or inside contrasting color area



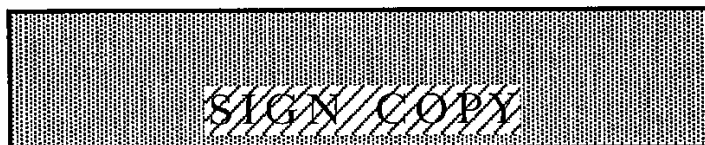
SEPARATE LETTER COPY:
Compute area as shown, include ascenders or descenders, but not both. Calculate super ascenders separately as indicated.



Area of base is not included in sign area. Base must not project into setbacks of zoning district.



GROUND SIGNS



Include area of separate letter copy when less than or equal to 25% of total awning, banner, canopy, mansard, parapet or wall area.

AWNING, BANNER, CANOPY, MANSARD, PARAPET, AND WALL SIGNS



Include full area of awning, banner, canopy, mansard, parapet or wall when sign copy area is greater than 25% of surface.

**SIGN AREA COMPUTATION
FIGURE B**

NEW SIGNAGE SUBMITTAL WORKSHEET

Owners Name _____

Address of Site _____

Zoning District _____

Street Frontage _____

Existing Premises signage area _____

Proposed signage area _____

Building Elevation A:
Building Elevation area _____ Wall + Parapet + Mansard signs cumulative area _____

Building Elevation B:
Building Elevation area _____ Wall + Parapet + Mansard signs cumulative area _____

Building Elevation C:
Building Elevation area _____ Wall + Parapet + Mansard signs cumulative area _____

Building Elevation D:
Building Elevation area _____ Wall + Parapet + Mansard signs cumulative area _____

Proposed Signage type (check all that apply):

_____ Animated Sign: Not Permitted

_____ Menu Board Sign

_____ Awning Sign

_____ Multiple-Faced Sign

_____ Backlit Awning Sign: Not Permitted

_____ Parapet Sign

_____ Banner

_____ Portable Sign

_____ Banner Sign

_____ Projecting Sign

_____ Billboard

_____ Real Estate Sign

_____ Canopy Sign

_____ Real Estate Subdivision Sign

_____ Changeable Sign

_____ Roof Sign: Not Permitted

_____ Directional Sign

_____ Temporary Sign

_____ Double-Faced Sign

_____ Tenant Directory Sign

_____ Electronic Message Sign or Center

_____ Under Canopy, Under Awning, or Under Eave Sign

_____ Ground Sign

_____ Vehicle Sign

_____ Illuminated Sign

_____ Wall Sign

_____ Mansard Sign

_____ Other

SECTION 8.0 NONCONFORMING USES, STRUCTURES AND LOTS

8.01 EXISTING NONCONFORMING USES

The lawful non-conforming use of a structure, land or water existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however:

Only That Portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order so as to comply with the provisions of this Ordinance.

Total Lifetime Structural Repairs or alterations shall not exceed fifty (50) percent of the Village's current equalized assessed value of the structure unless it is permanently changed to conform to the use provisions of this Ordinance.

Changes of Use may be permitted if such changes will reduce the incompatibility of the non-conforming use with the neighboring uses.

8.02 ABOLISHMENT OR REPLACEMENT

If such non-conforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance. When a non-conforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than fifty (50) percent of its assessed value at the time it became non-conforming, it shall not be restored except so as to comply with the use provisions of this Ordinance.

8.03 EXISTING NONCONFORMING STRUCTURES

The lawful non-conforming structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance; however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered except when required to do so by law or order so as to comply with the provisions of this Ordinance.

8.04 CHANGES AND SUBSTITUTIONS

Once a non-conforming use or structure has been changed to conform, it shall not revert back to a non-conforming use or structure.

8.05 NONCONFORMING LOTS

A lot which does not contain sufficient area to conform to the dimensional requirements of the Ordinance but which is at least thirty (30) feet wide and four thousand (4,000) square feet in area may be used as a single-family building site provided that the use is permitted in the zoning district, providing the lot is of record in the County Register of Deed's Office prior to the effective date or amendment of this Ordinance.

For non-conforming R-1 and R-2 residential lots which existed prior to the effective date of this paragraph, and which previously contained a single-family residence, a new single family residence may be constructed to replace a damaged or destroyed residence. The new residence's ground level square footage shall not exceed that of the previous residence. A yard or building setback that was previously non-conforming shall not be decreased but may be increased to reduce or eliminate its non-conformity. Construction of a new residence in such cases is required to begin within eighteen (18) months of the damage or destruction of the previous residence.

SECTION 9.0 BOARD OF ZONING APPEALS

9.01 ESTABLISHMENT

There is hereby established a Board of Zoning Appeals for the Village of Spring Green for the purpose of hearing appeals and applications, and granting variances and exceptions to the provisions of this Zoning Ordinance in harmony with the purpose and intent of the Zoning Ordinance.

9.02 MEMBERSHIP

The Board of Zoning Appeals shall consist of five (5) members appointed by the Village President and confirmed by the Village Board.

Terms shall be for staggered three-year periods.

Chairman shall be designated by the Village President.

An Alternate Member may be appointed by the Village President for a term of three (3) years and shall act only when a regular member is absent or refuses to vote because of conflict of interest.

Secretary shall be the Village Clerk.

Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of this appointment.

Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

9.03 ORGANIZATION

The Board of Zoning Appeals shall organize and adopt rules of procedure for its own government in accordance with the provisions of this Ordinance.

Meetings shall be held at the call of the chairman and shall be open to the public.

Minutes of the proceedings and a record of all actions shall be kept by the secretary, showing the vote of each member upon each question, the reasons for the Board's determination, and its finding of facts. These records shall be immediately filed in the office of the Board and shall be a public record.

The Concurring Vote of four (4) members of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a utility, temporary, unclassified, or substituted use.

9.04 POWERS

Board of Zoning Appeals shall have the following powers:

Errors. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official or body in the course of enforcing this Ordinance.

Variances. To hear and grant appeals for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will

result in practical difficulty or unnecessary hardship, so that the spirit and purposes of this Ordinance shall be observed and the public safety, welfare, and justice secured. Use variances shall not be granted.

Substitutions. To hear and grant applications for substitution of more restrictive non-conforming uses for existing non-conforming uses provided no structural alterations are to be made and the Village Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.

9.05 APPEALS AND APPLICATIONS

Appeals may be made by any person aggrieved or by an officer, department, board, or commission of the Village. Such appeals shall be filed with the secretary within thirty (30) days after the date of written notice of the decision or order of the Zoning Administrator. Applications may be made by the owner or lessee of the structure, land, or water to be affected at any time and shall be filed with the secretary. Such appeals and application shall include the following:

Name and Address of the appellant or applicant and all abutting and opposite property owners of record.

Site Plan showing all of the information required under Section 2.05 for a Zoning Permit.

Additional Information required by the Village Plan Commission, Village Engineer, Board of Zoning Appeals, or Zoning Administrator.

9.06 HEARINGS

The Board of Zoning Appeals shall fix a reasonable time and place for the hearing, and shall give class 2 notice thereof. At the hearing the appellant or applicant may appear in person, by agent, or by attorney.

9.07 FINDINGS

No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates in the minutes of its proceedings.

Exceptional Circumstances. There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Ordinance should be changed.

Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

9.08 DECISION

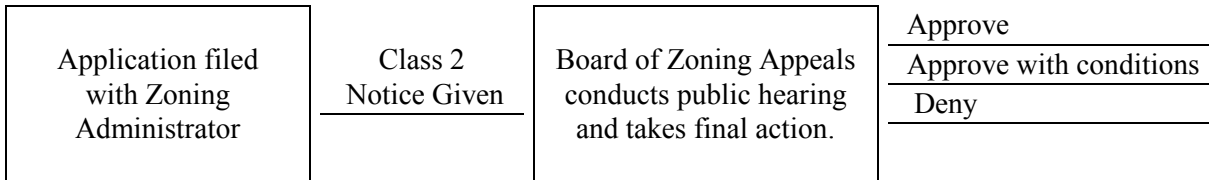
The Board of Zoning Appeals shall decide all appeals and applications within thirty (30) days after the hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant, Zoning Administrator, and Village Plan Commission.

Conditions may be placed upon any zoning permit ordered or authorized by this Board. Approvals granted by the Board shall expire within twelve (12) months unless substantial work has commenced pursuant to such grant.

9.09 REVIEW BY COURT OF RECORD

Any person or persons aggrieved by any decision of the Board of Zoning Appeals may present to the court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the Office of the Village Clerk.

STEPS FOR APPEALS TO BOARD OF ZONING APPEALS



SECTION 10.0 CHANGES AND AMENDMENTS

10.01 AUTHORITY

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Village Board of Trustees may, by ordinance, change the district boundaries or amend, change or supplement the regulations established by this Ordinance or amendments thereto.

Such Change or Amendment shall be subject to the review and recommendation of the Village Plan Commission or the Joint Extraterritorial Zoning Committee.

10.02 INITIATION

A change or amendment may be initiated by the Village Board, or any member thereof, Village Plan Commission, Joint Extraterritorial Zoning Committee or by a petition of one or more of the owners or lessees of property within the area proposed to be changed. Initiations that do not involve a change in the district boundaries are exempt from Section 10.03.

10.03 PETITIONS

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk, describe the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

Plot Plan drawn to a scale of 1 inch equals 100 feet showing the area proposed to be rezoned, its locations, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within three hundred (300) feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within three hundred (300) feet of the area proposed to be rezoned.

Additional Information required by the Village Plan Commission, Joint Extraterritorial Zoning Committee, or Village Board.

10.04 RECOMMENDATIONS

The Village Plan Commission shall review all proposed changes and amendments within the corporate limits, conduct a public hearing with Class 2 notice and shall recommend that the petition be granted as requested, modified, or denied.

The Joint Extraterritorial Zoning Committee shall review and conduct a public hearing with Class 2 notice on all proposed changes and amendments within the extraterritorial zoning jurisdiction. Under this circumstance the members of the Joint Extraterritorial Zoning Committee shall transmit their recommendation to the Village Board in writing.

On any single date no property shall have its zoning district changed and be granted a conditional use.

10.05 VILLAGE BOARD ACTION

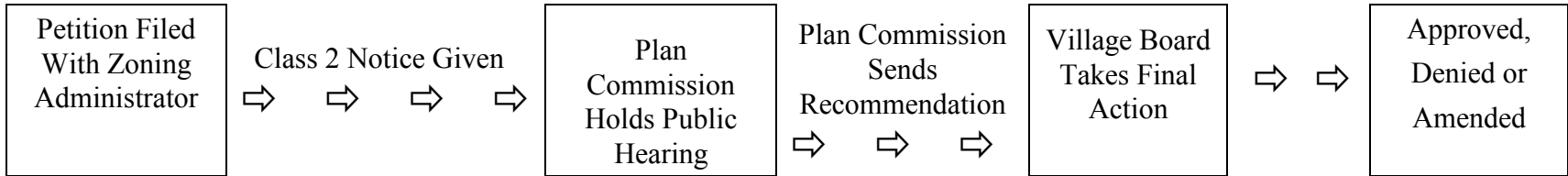
Following such hearing and after careful consideration of the Village Plan Commission, and when appropriate, the Joint Extraterritorial Zoning Committee's recommendations, the Village Board shall vote on the passage of the proposed change or amendment.

A Favorable Vote of a majority of the six (6) members of the appropriate Joint Extraterritorial Zoning Committee is required before the Village Board may adopt any changes or amendments affecting their extraterritorial zoning jurisdiction.

10.06 PROTEST

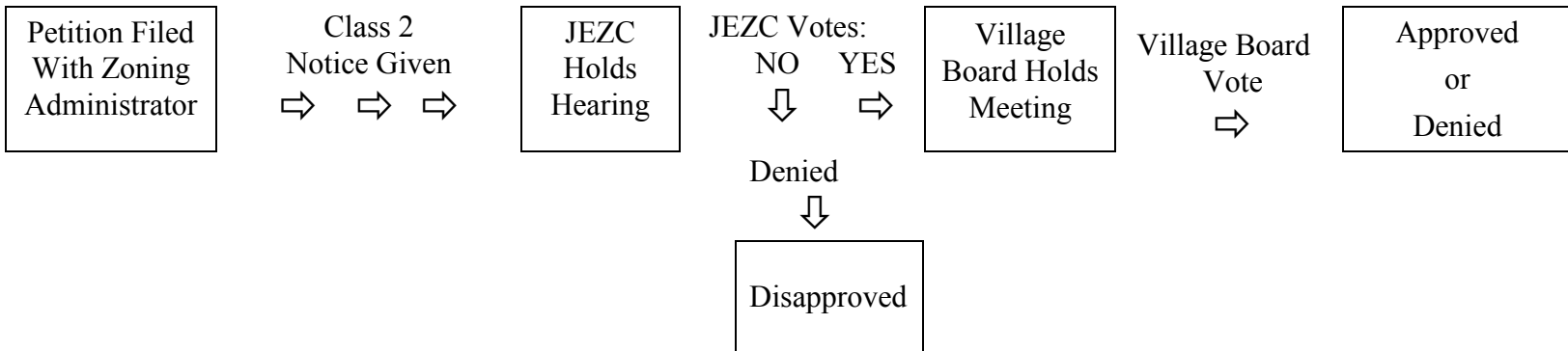
In the event of a protest against such district change or amendment to the regulations of this Ordinance, duly signed and acknowledged by the owners of twenty (20) percent or more either of the areas of the land included in such proposed change, or by the owners of twenty (20) percent or more of the land within three hundred (300) feet of all boundaries of the district changed, such changes or amendments shall not become effective except by the favorable vote of three-fourths (0.75) of the full Village Board membership. Section 10.06 does not apply in the extraterritorial area.

STEPS FOR ZONING AMENDMENT WITHIN VILLAGE LIMITS



STEPS FOR ZONING AMENDMENT WITHIN EXTRATERRITORIAL AREA

JEZC - Joint Extraterritorial Zoning Committee



SECTION 11.0 DEFINITIONS

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory, the word "should" is advisory and the word "may" is permissive. Any words not defined in this section shall be presumed to have the customary dictionary definitions.

Accessory Use or Structure. A use or detached structure subordinate to the principal use of a structure, land or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure.

Adult Entertainment Use. An establishment consisting of, including, or having the characteristics of any or all of the following:

- 1) Adult Bookstore. An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, publications, tapes, or films that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.
- 2) Adult Cabaret. (1) An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas; (2) a cabaret that features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers for observation by patrons.
- 3) Adult Mini Motion Pictures Theater. An enclosed building with a capacity for less than fifty persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

Adult Motion Picture Theater. An enclosed building with a capacity for fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

Alley. A special public right-of-way affording only secondary access to abutting properties.

Animal Unit. Animal units shall be consistent with the Wisconsin Department of Natural Resources administrative rule NR243, and other such rules promulgated under Wisconsin State Statutes.

Arterial Street. A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways, and parkways.

Basements. That portion of any structure located partly below the average adjoining lot grade.

Bed and Breakfast Establishment. Bed and Breakfast Establishments provided such establishments (1) meet all requirements and hold all licenses as provided by the Wisconsin Statutes and the Wisconsin Administrative Code and (2) comply

with requirements of the Wisconsin Administrative Code applicable to Multiple Family Residences with respect to smoke alarms, fire extinguishers and fire escapes and (3) comply with all other applicable provisions of this zoning ordinance.

Building. Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery or materials.

Building Area. The total living area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways, and unfinished attics.

Building Height. The vertical distance measured from the mean elevation of the finished lot grade along the street yard face of the structure to the highest point of the roof.

Charitable or Non-Profit Institutions and Facilities. A use that provides essential goods or services, such as food, housing, clothing, counseling, aid, or assistance to those in need, for no fee or compensation or at a fee recognized as being significantly less than that charged by profit-making organizations. Also, churches and fraternal organizations consisting of a group of people formally organized for a common interest, usually cultural, religious, or entertainment with regular meetings, rituals and formal written membership requirements.

Classes of Notice. References in this Ordinance to Class 1 and Class 2 notices refer to Chapter 985 of the Wisconsin Statutes.

Clothing Repair Shops. Shops where clothing is repaired, such as shoe repair shops, seamstress, tailor shops, shoe shine shops, clothes pressing shops, but none employing over five (5) persons.

Clothing Stores. Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress, hosiery, and millinery shops.

Commercial Livestock Operation. An animal confinement facility used or designed for the feeding or holding of more than 1 animal unit for each acre of land available for crop or forage production for seven days or more.

Commercial Poultry Operation. A confinement facility used or designed for the raising of more than 10 animal units for egg or meat production.

Conditional Uses. Uses of a special nature as to make impractical their predetermination as a principal use in a district.

Convenience Store. A store limited to a maximum of 3,500 square feet of retail space that also sells gasoline. In addition the following items and other closely related items may be offered: dairy, bakery, snack foods, beverages, tobacco products, grocery, health and beauty aids, confectionery, video rentals, lottery tickets, automotive supplies, newspapers and periodicals, LP gas refills, camping supplies, and prepared foods to go, fresh or frozen meats, various services and limited produce items.

Day Care Center. A non-residential premises with licensed day care as per Wisconsin Statute chapter 48.65 as its primary use.

Day Spa. A facility offering a variety of beauty, health and therapeutic spa treatments including massage, facials, waxing, pedicures, and manicures,

performed by trained professionals, which can be started and completed in a single session, and where overnight accommodations are not available. Day spas do not include beauty salons that offer spa services in addition to cutting or styling a person's hair.

Directional sign. A sign which has the primary purpose of directing persons to a remotely located place of business by means of written directions or graphic display. The sign may also contain a brief written and/or graphic description of the services or goods offered. Such signs may not exceed 32 square feet in surface area and may only be located on properties abutting Town roads.

Dwelling. A detached building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

Dwelling, Multiple-Family. A residential building designed for or occupied by two or more families, with the number of families in residence not to exceed the number of dwelling units provided.

Efficiency. A dwelling unit consisting of one principal room with no separate sleeping room.

Entertainment Venue. The use of a specific location for live music, performing arts, visual art events and social activities. This does not include adult entertainment uses as defined here in.

Essential Services. Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, hydrants and structures not routinely staffed by employees. Buildings intended for regular use by employees or others shall not fall under this designation.

Family. Any number of persons related by blood, adoption, or marriage, or not to exceed four (4) persons not so related, living together in one dwelling as a single housekeeping entity.

Floor Space. That part of any structure thereon utilized for the permitted use or uses of the lot but excluding staircases, restrooms and areas not open to the general public.

Food Processing & Packaging. All foods except cabbage, fish, meat, poultry and pea vining where permitted.

Government Uses. Includes all public uses of the Village, Town, County, State and School District facilities including parks, but not U.S. Post Offices.

Fence. A barrier of any material other than plants intended to prevent escape or intrusion or to mark a boundary. Fences may be located on or off a property line.

Frontage. The smallest dimension of a lot abutting a public street measured along the street line.

Home Family Daycare. Certified or licensed day care as per Wisconsin Statute chapter 48.65 provided in a permitted residence.

Household Occupation. Any occupation for gain or support conducted entirely within buildings by resident occupants which is customarily incidental to the principal use of the premises, does not exceed twenty-five (25) percent of the area of any floor, uses only household equipment, and no stock in trade is kept or sold except that made on the premises. A household occupation includes uses such as baby-sitting, millinery, dressmaking, canning, laundering, crafts, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, and licensed massage therapy. All permitted household occupations are authorized to operate during normal daytime business hours of 7:00 a.m. – 7:00 p.m. and employees are limited to only the residents of the home. Adequate off street parking is required if the household occupation hinders or impedes traffic in any way. Household occupations do not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios. The warehousing of a product or products for subsequent distribution or sale to a person, firm, business or dealer is not a permitted household or home occupation.

Joint Extraterritorial Zoning Committee. Any zoning committee established in accordance with Section 62.23(7a) of the Wisconsin Statutes.

Landscape Contractor. A contractor in the business of providing landscape installation and care services and lawn care services. A landscape contractor may utilize an on-site or home office to meet with clients however services are otherwise conducted outside the contractor's premises and there are no retail sales at the contractor's premises. A landscape contractor can stockpile materials and store equipment that are primarily oriented to landscaping installation and care services and lawn care services. When located in residential zoning district a landscape contractor must limit material stockpiles and equipment storage to less than 25% of the gross site area. Materials and equipment being stored shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic-traffic and traffic-pedestrian conflicts. Accessory use and structure setbacks apply to contractor operations, material stockpiles, and equipment storage. Landscape Contractor operations do not include storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard. A landscape contractor may use their premise as a rendezvous point, meeting area, or vehicle parking area for off-premises employees however the 25% gross area restriction applies to this use. When allowed by Conditional Use, the plan commission may place additional restrictions on a Landscape Contractor's business use of their premise including but not limited to hours of operation, number of employees, setbacks, and screening.

Licensed Meat Processing. The further preparation of meat and fish for consumption. Further preparation is understood to include commonly accepted butchering activities such as skin and hide removal, cutting, slicing, grinding, mixing, stuffing, seasoning, curing, smoking, drying, heating, cooking, cooling,

packaging, and storing of meat, fish and related products. This definition does **not** include the slaughter of live animals. It is assumed that these activities will be performed for both wholesale and retail purposes. The majority of sales will consist of the products produced and/or processed on site.

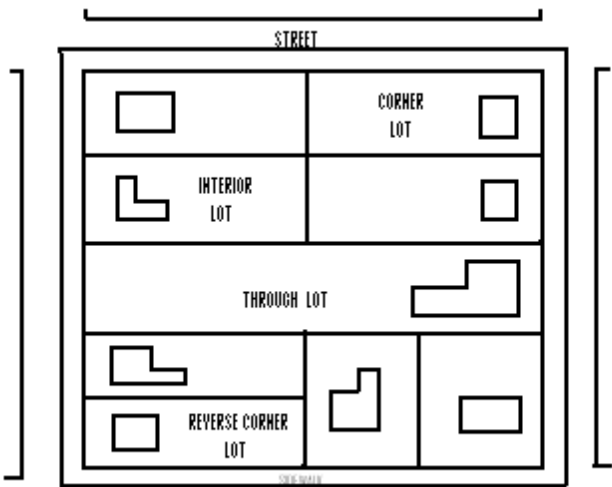
Loading Area. A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

Lot. A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this Ordinance.

Lot Lines and Area. The peripheral boundaries of a parcel of land and the total area lying within such boundaries.

Lot Width. The width of a parcel of land measured at the rear of the specified street yard.

Lot Types.



Maintenance and Normal Upgrade Repairs or Repairs to a structure that does not constitute a renovation or restoration. Normal repairs are such things as painting, glass and sewer replacement, leaky faucets, refastening of loose items, door latch replacement, electric switch replacements, etc..

Microbrewery. A small brewery producing fewer than 10,000 barrels of beer and ale a year and frequently selling its products on the premises.

Minor Structures. Any small, movable accessory erection or construction such as birdhouses; tool houses; pet houses; play equipment; arbors; and walls and fences under four (4) feet in height.

Motel. A series of attached, semi-attached, or detached sleeping units for the accommodation of transient guests.

New In the context of zoning designations, “new” is meant to be assigned to designations that meet the minimum criteria of desirable development.

Non-Conforming Uses or Structures. Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a non-conforming structure and not a non-conforming use.

Normal Maintenance and Repairs includes, but is not limited to, the replacement of siding or roofing material when of a similar material and color, and the replacement of windows when the dimensions of the window area are substantially the same.

Parking Lot. A premises containing ten (10) or more parking spaces open to the public and not located on a public street or right-of-way.

Parking Space. A graded and surfaced area of not less than one hundred and eighty (180) square feet in area either enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

Parties in Interest. Includes all abutting property owners, all property owners within three hundred (300) feet, and all property owners of opposite frontages outside of a design district.

Portable Sign. A sign which is not intended for indefinite affixation to a building or subsoil-based structure, and includes such displays as flyers, posters, limited date events or changeable copy signs.

Predevelopment Agriculture. The use of land for agricultural purposes prior to final development. It is permitted in certain zoning districts as set forth by the Plan Commission (and JEZC as appropriate). No new agricultural structures may be erected in conjunction with this use. This use is intended to provide for constructive use of vacant lands zoned for development in whole or in part to help ensure the properties are properly maintained prior to final development.

Professional Office. The office of ministers, architects, landscape architects, engineers, surveyors, designers, drafters, lawyers, authors, musicians, realtors, financial planners, mortgage lenders, accountants, advertising agencies, public relations firms, stock brokers, corporate offices, internet and telecommunication services, cellular service providers, photographers, media production, sales representatives (without inside sales), civil and/or political organizations, school of architecture and recording studios. Uses fitting the professional office definition are viewed as being primarily non-retail.

Professional Home Offices. Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, Real Estate Offices, registered land surveyors, lawyers, artists, teachers, authors, musicians, or other recognized professions used to conduct their professions

where the office does not exceed one half (1/2) the area of only one floor of the residence and only one nonresident person is employed.

Professional Services. Professional Services is synonymous with Professional Offices, see definition for Professional Office.

Rear Yard. A yard extending across the full width of the lot, and depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

Recreational Equipment Rental & Sales. The sale, lease or rental of new and used equipment to the general public for the conduct of sports and leisure-time activities. Sports and leisure-time activities is understood to include all non-motorized recreational equipment such as canoes, kayaks, tubes, bicycles, skis, snow shoes, clothing and sporting goods.

Remodeling. To alter the structure. To make considerable change in structure or design.

Renovation. A general upgrading of the buildings' interior and/or exterior appearance. Exterior improvements will include cleaning and painting within a design district and will often involve a substantial change to a shop front and sign. Interior rehabilitation can include the upgrading of electrical, mechanical or structural elements and new interior design.

Restoration. The reinstatement of original architectural integrity of structural form to quality buildings of the past, but does not necessarily extend to a reinstatement of the past use of the building.

Side Yard. A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.

Signs. A sign shall include anything that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location or product. This includes any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trade marks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity or product and which is visible from any public street or highway.

Small Livestock and Poultry. For purposes of this Ordinance small livestock shall be limited to animals weighing less than 20 lbs. Poultry is limited to animals weighing less than 10 lbs.

Street Yard. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.

Street. A public right-of-way not less than fifty (50) feet wide providing primary access to abutting properties.

Structure. Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, fences, cages, parking lot, parking space, machinery, and equipment.

Structural Alterations. Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams, or girders.

Tanning Salon. Any place where a tanning device, such as a sunlamp, tanning booth, or tanning bed is used for a fee, membership dues, or any other compensation, and includes the sale of accompanying products, such as protective eyewear and tanning lotions.

Temporary Sign. A sign approved by the Plan Commission of the Joint Extraterritorial Zoning Committee for a period of no more than 3 (three) calendar months.

U.S. Post Office. Building owned or leased by the U.S. Postal Service to collect, send and distribute U.S. mail.

Utilities. Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone and telephone exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, and storage yards.

Veterinarian Clinic. A facility for the care and treatment of animals that may include temporary boarding.

Wireless Communication Tower. A tower used for wireless communication services as defined in the Federal Telecommunication Act of 1996, including FCC licensed commercial wireless telecommunications services such as cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), global system or mobile communication (GSM), paging, television broadcast or commercial radio facilities and similar services that currently exist or may be developed.

Yard. An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.

AMENDMENTS INDEX

07/26/00 Section 3.03 amends Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft provided the required rear yard may be decreased to the average of the existing rear yards of abutting structures on each side.

07/26/00 Section 3.04A amends Minimum Yards: Front 25 ft; Side 10 ft; Rear 35 ft provided the required rear yard may be decreased to the average of the existing rear yards of abutting structures on each side. If Section 6.05 of the zoning ordinance requires a greater setback than as provided herein, said Section 6.05 shall control.

07/26/00 Section 3.06C adding “well drilling”, “pump sales and services”, “existing licensed meat cutting”, and “ licensed catering” as permitted uses in the B-6 district.

07/26/00 Section 2.07 to add 3) for use changes where the new use is a permitted use in the zoning district, provided it does not involve an increase in the area of the existing structure or structures; 4) for the removal or installation of a mobile home on an existing lot in a mobile home park.

08/23/00 Section 3.04A and Section 3.04C to add to the language “Adjustments to existing lot boundaries that do not create additional lots or change the overall area or exterior boundaries of a subdivision are allowed and are considered conforming as long as all district standards regarding lot size, street frontage and width are met. A certified survey map outlining the adjustments must be approved by the appropriate agencies before such adjustments take effect.”

01/10/01 ESR Extraterritorial Seasonal Recreational District created. see page 31 and 32.

01/10/01 add Except as otherwise provided to paragraph four of Section 2.08 to make the ESR district compatible with the zoning ordinance.

02/28/01 eliminate Section 3.12 EC Village & Extraterritorial Entrance Corridor Design District.

02/28/01 strike “as defined by state statute” from the chart in Section 5.03 describing stall required for restaurants, etc.

02/28/01 add Floor Space definition to Section 11.

02/28/01 add Political Signs, Official Signs and Window Signs to Section 7.02.

02/28/01 strike Window Signs from Section 7.03.

02/28/01 strike “responsibility for violations shall be with the property owner, according to the latest tax roll listing” from Section 7.06, and add additional wording see pages 39 and 40.

02/28/01 strike “and changeable copy” from line 2 of Section 7.07.

03/28/01 add Section 7.08 “Signs permitted as conditional uses.”

03/28/01 add “Directional Signs” to Section 11.

08/30/01 add Section 2.08 “All principal structures shall be located on a lot; and only 1 principal structure shall be located, erected, or moved onto a lot unless located in the B-7 District, M-1 District or S-1 District”. B-7 district amended “Placement of accessory buildings” paragraph deleted; Minimum Yards amended to “10 feet from other zoning districts.” R-9 district amended so accessory buildings may be in “the required rear or side yard.”

08/30/01 Section 6.02 amended “Accessory Uses and detached accessory structures are permitted in the rear yard only unless located in the side yard in the R-9 District.”

02/07/02 Section 3.05A B-2 Village Retail Business District Outside the Downtown amended to add “fitness centers” and “dance studios” as permitted uses.

08/01/02 Section 2.08 amended “Except as otherwise provided, all lots shall abut a public street, and each village lot shall have a minimum street frontage of 30 feet, and, in the extraterritorial area, 66 feet if unsewered, 40 feet if sewer, or 30 feet if located on a cul-de-sac.”

09/05/02 Section 2.08 “...and, in the extraterritorial area, 66 feet if unsewered, 40 feet if sewer, or 30 feet if located on a cul-de-sac.”

09/05/02 Section 4.04 and 7.08 added “When a conditional use has been permitted or applied for in the R-1, R-2, or R-3 districts for a bed & breakfast establishment, daycare center, nursing or group home, a charitable or non-profit institution or facility, a church, or a funeral home, signage of a type, size and location appropriate to the nature of the neighborhood and the proposed use may be considered and approved as part of the conditional use permit by the Plan Commission.”

09/05/02 Section 5.03 added “Handicap accessible improvement to commercial buildings are exempt from the parking stall requirements.”

12/26/02 Section 3.03 added “photography studio, art studio and art gallery” as conditional uses restricted to the Downtown Design District in the R-1 Village Small Lot Residential District.”

12/26/02 Section 10.02 added “Initiations that do not involve a change in the district boundaries are exempt from Section 10.03.”

12/26/02 Section 10.04 strike paragraph 3 and replace with “ On any single date no property shall have its zoning district changed and be granted a conditional use.”

12/26/02 Section 4.02 strike “following” and all remaining language of Section 4.02 and replace with “information required in Section 2.05 except to the extent such information is not required as determined by the Plan Commission.”

02/06/03 Section 10.02 added, “Initiations that do not involve a change in the district boundaries are exempt from Section 10.03.

02/06/03 Section 10.04 strike paragraph 3 and replace with “On any single date no property shall have its zoning district changed and be granted a conditional use.

02/06/03 Section 4.02 strike “following” and all remaining language of Section 4.02 and replace with “information required in Section 2.05 except to the extent such information is not required as determined by the Plan Commission.”

03/26/03 Section 3.08 added, the Conditional Use of “Mineral Extraction in the Extraterritorial area only.

05/15/03 Section 11.0 added, the definition of “Veterinarian Clinic”. The definition is “Facility for the care and treatment of animals that may include temporary boarding”.

05/15/03 Section 3.06A added, “Veterinary Clinic” as a conditional use in the B-4 Village Wholesale and Service District.

05/15/03 Section 3.06A added, “Government Uses” as a conditional use in the B-4 Village Wholesale and Service District.

10/29/03 Section 2.07 1) replace the word “building” with “structure”.

10/29/03 Section 2.09 added Accessory Uses and structures are permitted in any district but not until their principal structure is present or under construction unless the Village Plan Commission shall determine that the circumstances that exist are consistent with the intent of the ordinance and that the accessory use or structure should thus be allowed.

Any proposed accessory use or structure that is not incidental to an existing principal structure or a principal structure under construction shall be a conditional use requiring review, public hearing, and approval by the Village Plan Commission in accordance with Section 4.0. In addition, where a proposed accessory use or structure is not incidental to an existing principal structure or a principal structure under construction, written notice of the hearing provided by Section 4.03 shall be mailed to all property owners within 300 feet of the parcel on which the accessory use or structure is to be located at least 14-days prior to the hearing.

03/04/04 Section 8.05 added “For non-conforming R-1 and R-2 residential lots which existed prior to the effective date of this paragraph, and which previously contained a single-family residence, a new single-family residence may be constructed to replace a damaged or destroyed residence. The residence’s ground level square footage shall not exceed that of the previous residence. A yard or building setback that was previously non-conforming shall not be decreased but may be increased to reduce or eliminate its non-conformity. Construction of a new residence in such cases is required to begin within eighteen (18) months of the damage or destruction of the previous residence.

03/04/04 Section 3.09A added “commercial kennels, dog boarding, training and grooming facilities” as conditional uses in the ARN Extraterritorial New Agricultural Residential District.

09/09/04 Section 2.03 Zoning Administrator Designated add “The Office of Zoning Administrator is hereby created as the administrative officer for the provisions of this Ordinance. The duty of the Zoning Administrator shall be to interpret and administer this Ordinance and to issue, after on-site inspection, all permits required by this Ordinance. Enforcement of this Ordinance shall take place under the direction of the Plan Commission.

The Zoning Administrator shall investigate all complaints, give notice of violations, issue

orders to comply with the zoning ordinance as directed by the Plan Commission, and assist the village attorney in the prosecution of ordinance violators. The Zoning Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection.

08/05/04 Section 3.06 added, “golf driving range, mini-golf and bicycle rental” as conditional uses in the B-3 Extraterritorial Highway Commercial District.

11/25/04 Section 3.05 and Section 3.05A added, “hobby shops” as permitted use in the B-1 Village Retail Business District and B-2 Village Retail Business District Outside of the Downtown.

05/04/05 Section 3.05 added, “Microbrewery” as a conditional use in the B-1 Village Retail Business District.

05/04/05 Section 11 added, definition of Microbrewery. The definition is “A small brewery producing fewer than 10,000 barrels of beer and ale a year and frequently selling its products on the premises.

06/01/05 Section 3.06E added, “auto parts sales” as a permitted use in the B-8 Village & Extraterritorial Highway Commercial District.

06/27/06 Section 3.06 added, “Professional Office Building”, “Motels & Lodging Facilities”, “Restaurants & Eating Establishments” and “Fuel Service Stations (with or without convenience stores)” as a permitted use in the B-3 Village & Extraterritorial Highway Commercial District.

06/27/06 Section 3.06 added, “Print Shops” as a conditional use in the B-3 Village & Extraterritorial Highway Commercial District.

06/27/06 Section 3.06A added, “Mini-warehouse storage units” as a permitted use in the B-4 Village Wholesale District.

06/27/06 Section 11.0 added the definition of “Professional Office”. The definition is “The office of ministers, architects, landscape architects, engineers, surveyors, designers, drafters, lawyers, authors, musicians, realtors, financial planners, mortgage lenders, accountants, advertising agencies, public relations firms, stock brokers, corporate offices, internet and telecommunication services, cellular service providers, photographers, media production, sales representatives (without inside sales), civil and/or political organizations, and recording studios. Uses fitting the professional office definition are viewed as being primarily non-retail”.

06/27/06 Section 11.0 added the definition of “Convenience Store”. The definition is “A store limited to a maximum of 3,500 square feet of retail space that also sells gasoline. In addition the following items and other closely related items may be offered: dairy, bakery, snack foods, beverages, tobacco products, grocery, health and beauty aids, confectionery, video rentals, lottery tickets, automotive supplies, newspapers and periodicals, LP gas refills, camping supplies, and prepared foods to go, fresh or frozen meats, various services and limited produce items.

06/27/06 Section 3.06 added:

3.06F B-9 VILLAGE & EXTRATERRITORIAL RECREATIONAL DISTRICT

The B-9 District is to provide for recreation uses in the village and extraterritorial area.

Permitted Uses:

Essential services

Food and beverage concessions in conjunction with allowed recreational uses
Conditional Uses:

Miniature golf course
Golf driving range
Baseball batting cages
Bicycle rental

Minimum Lot Area and Width: With public sewer 20,000 sq. ft. and 100 ft. width.
Without public sewer the provisions of Section 6.05 shall apply.

Minimum Yards: Principal building: front 25 ft.; side 10 ft.; rear 25 ft. Accessory building: side 10 ft.; rear 10ft.

Maximum Building Height: 2 stories or 40 feet.

Maximum Building Coverage: 35%

Outside Storage: No outside storage permitted.

07/27/06 Section 3.05A added, “Print Shops” as a conditional use in the B-2 Village Retail Business District Outside the Downtown.

05/03/07 Section 3.06A added, “Microbrewery” as a conditional use in the B-4 Village Wholesale and Service District.

07/04/07 Section 3.05A added, “Clinics” as a conditional use in the B-2 Village Retail Business District Outside the Downtown.

08/30/07 Section 11.0 amended by modifying the definition of “Essential Services”. The definition is “Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, hydrants, and structures not routinely staffed by employees. Buildings intended for regular use by employees or others shall not fall under this designation.”

8/30/07 Sections 3.05, 3.05A, 3.06, 3.06B, 3.06C, 3.06E, 3.07, 3.08, 3.11 & 3.12 are amended to add “Essential Services” as a permitted use in the B-1, B-2, B-3, B-4, B-5, B-6, B-8, M-1, AP, ESR & S-1 Districts.

8/30/07 Section 11.0 is amended by adding the definition of “Home Family Day Care”. The definition is “Certified or licensed day care as per Wisconsin Statute chapter 48.65 provided in a permitted residence”.

8/30/07 Section 11.0 is amended by adding the definition of “Day Care Center”. The definition is “A non-residential premises with licensed day care as per Wisconsin Statute chapter 48.65 as its primary use”.

8/30/07 Section 3.05 is amended to add “Day Care Center” as a conditional use in the B-1 District.

8/30/07 Sections 3.03 & 3.03A are amended to strike “Day Care” from the conditional use list in the R-1 & R-2 Districts.

8/30/07 Sections 3.03, 3.03A, 3.04 & 3.04A are amended to add “Home Family Day Care” as a permitted use in the R-1, R-2, R-4 & R-5 Districts.

10/31/07 Section 3.04A Placement of accessory buildings in the R-5 District is amended as follows: shall not be nearer than ten (10) feet to any side lot line, and shall not be nearer than twenty (20) feet to the rear lot line.

10/31/07 Section 3.06A is amended to add “Day Care Center” as a conditional use in the B-4 District.

10/31/07 Section 7 of the Spring Green Zoning Ordinance regarding Signs.

01/31/08 Section 3.06A is amended to add “Indoor Archery Range” as a permitted use in the B-4 District.

03/07/08 Section 3.09A is amended to strike “which are not part of a subdivision” and to change the minimum lot size of one and one half acres (1.5) to four acres (4) in the ARN District.

10/30/08 Section 3.05 is amended to add “Special Trade Contractors” as a conditional use in the B-1 District.

10/30/08 Section 3.05A is amended to add “Special Trade Contractors” as a permitted use in the B-2 District.

06/4/09 Section 3.13 Downtown Design District – Designation of the Downtown Design Committee is amended to read as follows: “One of the additional members should be a representative of downtown businesses and the remaining two should be chosen at large. Village residency of citizen members is preferred but not required.”

11/05/09 Section 11.0 definition of “Household Occupation” amended to read as follows: “Any occupation for gain or support conducted entirely within buildings by resident occupants which is customarily incidental to the principal use of the premises, does not exceed twenty-five (25) percent of the area of any floor, uses only household equipment, and no stock in trade is kept or sold except that made on the premises. A household occupation includes uses such as baby-sitting, millinery, dressmaking, canning, laundering, crafts, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, and licensed massage therapy. All permitted household occupations are authorized to operate during normal daytime business hours of 7:00 a.m. – 7:00 p.m. and employees are limited to only the residents of the home. Adequate off street parking is required if the household occupation hinders or impedes traffic in any way. House hold occupations do not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios. The warehousing of a product or products for subsequent distribution or sale to a person, firm, business or dealer is not a permitted household or home occupation.”

04/01/10 Section 3.05 is amended to add “Churches” as a permitted use in the B-1 District.

05/06/10 Sections 3.05 & 3.05A are amended to add “residential dwelling on or above the second story” as a permitted use in the B-1 & B-2 Districts.

05/06/10 Sections 3.05 & 3.05A are amended to strike “Dwelling units on or above the ground floor” and replace with “Partial ground floor residential dwelling”.

05/06/10 Section 11.0 is amended to add “School of Architecture” to the definition of Professional Office.

11/25/10 Section 3.06 is amended to add “Barber Shops” & “Beauty Parlors” as a permitted use in the B-3 District.

02/03/11 Section 3.05 is amended to add “Bakery” as a permitted use in the B-1 District.

03/03/11 Section 11.0 is amended by adding the definition of “Licensed Meat Processing”. The definition is “The further preparation of meat and fish for consumption. Further preparation is understood to include commonly accepted butchering activities such as skin and hide removal, cutting, slicing, grinding, mixing, stuffing, seasoning, curing, smoking, drying, heating, cooking, cooling, packaging, and storing of meat, fish, and related products. This definition does not include the slaughter of live animals. It is assumed that these activities will be performed for both wholesale and retail purposes. The majority of sales will consist of the products produced and/or processed on site”.

03/03/11 Section 3.06 is amended to add “Licensed Meat Processing”, “Licensed Catering”, and “Wholesale Trade” as permitted uses in the B-3 District.

03/03/11 Section 11.0 is amended by adding the definition of “Professional Services”. The definition is “Professional Services is synonymous with Professional Offices, see definition for Professional Office”.

03/03/11 Sections 3.06A and 3.06E are amended to strike “Professional Services” and replace with “Professional Offices” in the B-4 and B-8 Districts.

03/03/11 Section 3.06 is amended to strike “Professional Office Building” and replace with “Professional Offices” in the B-3 District.

03/31/11 Section 11.0 is amended by adding the definition of “Entertainment Venue”. The definition is “The use of a specific location for live music, performing arts, visual art events and social activities. This does not include adult entertainment uses as defined here in.”

03/31/11 Section 3.06A is amended to add “Entertainment Venue” as a conditional use in the B-4 District.

05/05/11 Section 11.0 is amended by adding the definition of “Recreational Equipment Rental & Sales”. The definition is “The sale, lease, or rental of new and used equipment to the general public for the conduct of sports and leisure-time activities. Sports and leisure-time activities is understood to include all non-motorized recreational equipment such as canoes, kayaks, tubes, bicycles, skis, snow shoes, clothing and sporting goods.

05/05/11 Section 3.06 is amended to add “Recreational Equipment Rental & Sales” as a conditional use in the B-3 District.

05/05/11 Section 3.06 is amended to strike “Bicycle Rental” from the conditional uses.

05/05/11 Section 3.06 is amended to strike “Motels” from the conditional uses.

6/30/11 Section 2.05 is amended to add the following: “Due to the adverse impact of the 2008 flood, zoning permits within the Extraterritorial Area shall be subject to Town of Spring Green approval as necessary for compliance with Town of Spring Green Ordinance 2610 enacted on April 1, 2010 or its successor. If Ordinance 2610 expires without a successor, the Joint Extraterritorial Zoning Committee shall review all zoning permit applications for new residential or business structures and/or additions to these structures.

6/30/11 Section 3.14 SR-1 Village Special Design Review (Overlay) Zoning District added.

6/30/11 Section 11.0 is amended by adding the definition of “Predevelopment Agriculture”. The definition is “The use of land for agricultural purposes prior to final development. It is permitted in certain zoning districts as set forth by the plan

commission (and JEZC as appropriate). No new agricultural structures may be erected in conjunction with this use. This use is intended to provide for constructive use of vacant lands zoned for development in whole or in part to help ensure the properties are properly maintained prior to final development.”

6/30/11 Sections 3.03A, 3.03B, 3.06, 3.06A, 3.06B, 3.06E and 3.07 are amended to add “Predevelopment Agriculture” as a permitted use in the R-2, R-3, B-3, B-4, B-5, B-8 and M-1 Districts.

2/2/12 Section 3.06 is amended to add “Special Trade Contractors” as a permitted use in the B-3 District.

5/3/12 Section 7 regarding signs is amended.

5/2/13 Sections 3.05 & 3.05A are amended to add “Sporting Goods Stores” as a permitted use in the B-1 & B-2 Districts.

10/23/13 Adopted updated Floodplain Ordinance.